

January 4, 2016

The **Re-organization** Meeting of the Township Council of the Township of Toms River was held in the L. Manuel Hirshblond Meeting Room, Municipal Complex, 33 Washington Street, Toms River, New Jersey at **5:09 P.M.**

The meeting was called to order by **Township Clerk J. Mark Mutter.**

Boy Scout Troop 30, sponsored by the Pleasant Plains Volunteer Fire Department, led the Pledge of Allegiance to the Flag after the Toms River Police Department Honor Guard posted the colors.

Invocation was delivered by Reverend Barbara Miles, of Holy Temple Church of God in Christ.

Township Clerk J. Mark Mutter read the following statement pursuant to the Open Public Meetings Act:

### OPEN PUBLIC MEETINGS ACT

**This meeting is convened in accordance with the provisions of the Open Public Meetings Act of New Jersey. Let the official Minutes reflect that adequate notice of this meeting has been provided by publishing a notice in the Asbury Park Press on December 30, 2015 and forwarded to the Toms River Times, Toms River Patch, and WOBN News on December 23, 2015, 2015, and thereafter posting same on the Town Hall Bulletin Board for such notices, and filing same with the Township Clerk pursuant to a resolution adopted by the Township Council on December 22, 2015. Notice was also posted on the Township Web Page.**

Roll Call:

Councilman	Carr	- Present
Councilman-elect	Hill	- Present
Councilman-elect	Kubiel	- Present
Councilman	Manforti	- Absent
Councilwoman	Maruca	- Present
Councilman-elect	Wittmann	- Present

A motion was made by Council Member Hill, seconded by Council Member Maruca, and carried with Council Members Carr, Hill, Kubiel, Maruca, and with Council Member Wittmann voting yes, to approve an excused absence for Council Member Manforti.

Lt. Governor Kim Guadagno administered the Oath of Office to Mayor Thomas F. Kelaher.

The Oath of office was administered to Council Member Maurice "Mo" Hill by Lt. Governor Kim Guadagno, as Councilman-at-large.

The Oath of office was administered to Council Member Brian S. Kubiel by Lt. Governor Kim Guadagno, as Councilman-at-large.

The Oath of office was administered to Council Member George Wittmann by Lt. Governor Kim Guadagno, as Councilman-at-large.

A motion was made by Council Member Maruca, seconded by Council Member Hill, and carried with Council Members Carr, Hill, Kubiel, Maruca, and Council Member Wittmann voting yes, and with Council Member Manforti absent, to appoint **Council Member Kubiel as Council President for the year 2016.**

A motion was made by Council Member Maruca, seconded by Council Member Hill, and carried with Council Members Carr, Hill, Kubiel, Maruca, and Council Member Wittmann voting yes, and with Council Member Manforti absent, to appoint **Council Member Manforti as Council Vice-President for the year 2016.**

Lt Governor Kim Guadagno spoke regarding the orderly transition of power in local government, and spoke regarding Toms River and serving in public office.

Mayor Kelaher spoke regarding stable taxes, and Superstorm Sandy re-building.

Councilman Hill spoke regard beach replenishment; State aid; and population growth in northwest section of the Township.

Councilman Wittmann spoke regarding Township budget; Superstorm Sandy recovery; and northwest Dover residential development.

Councilman Kubiell spoke regarding first responders and Toms River Township.

**APPROVAL OF MINUTES**

A motion was made by Council Member Carr, seconded by Council Member Wittmann, and carried with Council Members Carr, Hill, Kubiell, Maruca, and Council Member Wittmann, voting yes, and with Council Member Manforti absent, to approve the Minutes of the **Regular Meeting of December 22, 2015**. The reading of these Minutes was dispensed with, as each member of the Township Council has reviewed a certified copy hereof.

A motion was made by Council Member Maurca, seconded by Council Member Carr and carried, to adopt the following Resolution.

**RESOLUTION**

**January 4, 2016**

**BE IT RESOLVED** BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

Pursuant to the Open Public Meeting Act of New Jersey, c.231 of P.L. 1975, the Township Clerk shall cause the following to be published in the Asbury Park Press in their edition of **JANUARY 8, 2016**:

**PUBLIC NOTICE**

**TAKE NOTICE**, that pursuant to the Open Public Meetings Act of New Jersey, c.231 of P.L. 1975, the following is a schedule of Regular Meetings of the Township Council of the Township of Toms River, Ocean County, New Jersey, which takes place in the Township of Toms River Municipal Complex, 33 Washington Street, Toms River, N.J., for 2016.

**REGULAR TOWNSHIP COUNCIL MEETINGS**

L. MANUEL HIRSHBLOND MEETING ROOM, SECOND LEVEL,  
MUNICIPAL COMPLEX

The following Tuesday's at 6:00 p.m., unless otherwise noted:

- |                              |                                  |
|------------------------------|----------------------------------|
| Tuesday, January 26 2016     | Tuesday, July 12, 2016           |
| Tuesday, February 9, 2016    | Tuesday, July 26, 2016           |
| Tuesday, February 23, 2016   | Tuesday, August 9, 2016          |
| Tuesday, March 8, 2016       | Tuesday, August 23, 2016         |
| Tuesday, March 22, 2016      | Tuesday, September 13, 2016      |
| Tuesday, April ` 12, 2016    | Tuesday, September 27, 2016      |
| Tuesday, April 26, 2016      | Tuesday, October 11, 2016        |
| Tuesday, May 10, 2016        | Tuesday, October 25, 2016        |
| Tuesday, May 24, 2016        | Monday, November 7, 2016 5:00 PM |
| Monday, June 6, 2016 5:00 PM | Tuesday, November 22, 2016       |
| Tuesday, June 21, 2016       |                                  |

- Tuesday, December 13, 2016 Regular Meeting 5:00 p.m.
- Tuesday, December 27, 2016 Regular Meeting 5:00 p.m.

**TAKE FURTHER NOTICE**, that regular business will be conducted and formal action will be taken at these meetings.

**TAKE FURTHER NOTICE**, that pursuant to c.231 of P.L. 1975, resolutions may be adopted at these public conferences and/or regular meetings, providing for the Township Council to meet in Executive Session, specifying matters to be discussed requiring confidentiality or of a privileged nature.

**TAKE FURTHER NOTICE**, that regular conferences and/or meetings may be cancelled pursuant to c.231 of P.L. 1975. Rescheduled regular and/or special conferences and/or meetings shall be duly advertised.

**TAKE FURTHER NOTICE**, that all meetings will be conducted in accordance with ROBERTS RULES OF ORDER.

**FINALLY, TAKE NOTICE**, that a permanent record shall be maintained as to all regular and/or special and/or emergency conferences and/or meetings in the Office of the Township Clerk.

The foregoing Resolution was adopted on the following roll call vote:

Council Member Carr	Yes
Council Member Hill	Yes
Council Member Kubieli	Yes
Council Member Manforti	Absent
Council Member Maruca	Yes
Council Member Wittmann	Yes

A motion was made by Council Member Wittmann, seconded by Council Member Carr and carried, to adopt the following Resolution.

## **RESOLUTION ESTABLISHING RULES AND REGULATIONS FOR GOVERNING BODY MEETINGS**

**JANUARY 4, 2016**

WHEREAS, on March 27, 2007, the Township Council adopted a Resolution establishing a five-minute rule for public comment; and

WHEREAS, this rule was again adopted on January 1, 2008, January 3, 2009, January 3, 2010, January 5, 2011, January 3, 2012 and January 2, 2013, January 7, 2014, January 2, 2015; and

WHEREAS, this time limit is designed to allow citizens to fully and fairly speak at Council meetings to address their local elected representatives; and

WHEREAS, this time limit may be relaxed at the sole discretion of the Council President; and

WHEREAS, reasonable public comment time limits have been found to be legally sustainable in New Jersey; and

WHEREAS, additional time may be permitted after all business of the Council is concluded; and

WHEREAS, it is also in the public interest to establish guidelines as to the videotaping of Township Council meetings;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER in the County of Ocean, State of New Jersey, as follows:

1.

A. A five-minute time limit per person for public comment shall be allowed at the Township Council Meeting during both the Consent Agenda session and the general Public Comment period.

B. This time limit may be relaxed at the sole discretion of the Council President.

C. Additional time may be permitted after all business of the Council is concluded.

2. The following procedure shall be abided by in 2016 to the videotaping of all Township Council meetings:

A. No more than two persons shall be permitted to videotape, whether by handheld camera, camcorder or other equipment, the public portion of a Township Council meeting. Any person desiring to videotape the public portion of the meeting shall be considered a person counting towards the occupancy limit for fire code purposes of the venue of the meeting.

B. Any person interested in videotaping the public portion of a Township Council meeting shall contact the Township Clerk by phone or in person to advise of his or her intent to videotape the meeting in question. Said contact must occur no later than 15 minutes prior to the official starting time of the meeting.

C. Any person videotaping the public portion of a Township Council meeting shall videotape from, or set up videotape equipment, on the side aisle at the far left of the room where the meeting is to be held. In the regular meeting room, the designated area shall be the side aisle on the far left as a person is entering the room from the main doors and is facing the meeting room dais.

D. For public meetings within the regular Township meeting room, two electrical outlets shall be available for use along the side aisle to the left as one enters the room from the main doors. Any person wishing to utilize these electrical outlets to videotape shall not overload the circuits provided. Said person shall not utilize extension cords or devices intended to increase the number of outlets without the prior approval of the Township Clerk. In the event the equipment that a person wishes to utilize to videotape the public portion of the Township Council meetings appears to be capable of damaging or overloading the electrical system, the Township may prohibit that person from utilizing that equipment to videotape the meeting.

E. Any person who attempts to videotape or set up equipment in a manner contrary to these guidelines shall be asked to comply or remove the equipment in question. Any person who refuses to comply with the guidelines may be viewed as obstructing the meeting in question.

3. All Township Council meetings will be conducted in accordance with Roberts Rules of Order.

4. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a. Mayor
- b. Council
- c. Law
- d. Administrator

e. Clerk

The foregoing Resolution was adopted on the following roll call vote:

Council Member Carr	Yes
Council Member Hill	Yes
Council Member Kubiak	Yes
Council Member Manforti	Absent
Council Member Maruca	Yes
Council Member Wittmann	Yes

A motion was made by Council Member Maruca, seconded by Council Member Carr and carried, to adopt the following Resolution.

### RESOLUTION ESTABLISHING INTEREST ON DELINQUENT TAXES

January 4, 2016

WHEREAS, R.S. 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for nonpayment of taxes or assessment; and

WHEREAS, R.S. 54:4-67 has been amended to permit the fixing of said rate at 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Toms River, County of Ocean, State of New Jersey, as follows:

1. The Tax Collector is hereby authorized to charge 8% per annum on the first \$1,500.00 of taxes becoming delinquent after the due date and 18% per annum on any amount of taxes in excess of \$1,500.00 becoming delinquent after the due date.

2. No interest shall be charged if payment of any installment of taxes is made within the tenth calendar day following the date upon which the installment became due and payable.

3. If by December 31 of a fiscal year, tax plus interest is over \$10,000.00, there is an additional 6% penalty.

4. Any payments not made in accordance with paragraph two of this resolution shall be charged interest as set forth in paragraph one of this resolution.

5. This resolution shall be published in its entirety, in the Asbury Park Press.

6. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a. Tax Collector
- b. Township Attorney
- c. Township Auditor
- d. Chief Financial Officer
- e. Official Township Newspaper with most competitive legal advertising rates
- f. Mayor
- g. Council

h. Business Administrator

The foregoing Resolution was adopted on the following roll call vote:

Council Member Carr	Yes
Council Member Hill	Yes
Council Member Kubiel	Yes
Council Member Manforti	Absent
Council Member Maruca	Yes
Council Member Wittmann	Yes

A motion was made by Council Member Maruca, seconded by Council Member Hill and carried, to adopt the following Resolution.

**RESOLUTION AUTHORIZING TAX ASSESSOR AS  
AGENT IN FILING PETITIONS OF APPEALS**

**January 4, 2016**

WHEREAS, from time to time the Tax Assessor discovers an error in calculation, transposing, measurement, or typographical errors in the tax assessments on the tax list after the time the County Board of Taxation has certified the tax rates for the tax year; and

WHEREAS, the governing body of the Taxing District of the Township of Toms River is desirous that every taxpayer pays his fair share of taxes; and

WHEREAS, if the above discovered errors are not corrected, the taxpayers affected would not be paying their fair share of taxes; and

WHEREAS, the method for correcting such errors is to file a Petition of Appeal for the current tax year with the Ocean County Board of Taxation or the Tax Court of New Jersey;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Toms River, County of Ocean, State of New Jersey, as follows:

1. The Tax Assessor is hereby authorized to act as the agent for the Taxing District and file a Petition of Appeal or Appeals for the tax year of 2016 with the Ocean County Board of Taxation or Tax Court of New Jersey to correct such assessments to the proper value and that a copy of any Petition of Appeal filed with the Ocean County Board of Taxation or Tax Court of New Jersey under this resolution be filed with the Municipal Clerk.

2. The Tax Assessor is hereby authorized to execute stipulations of settlement on any tax appeal filed by the taxing district or by a taxpayer for the year 2016.

3. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a. Chief Financial Officer
- b. Attorney
- c. Tax Assessor
- d. Ocean County Board of Taxation  
Court House, CN 2191  
Toms River, N.J. 08754

- e. Tax Court of New Jersey  
Hughes Justice Complex  
CN 972  
Trenton, N.J. 08625
- f. Mayor
- g. Council

The foregoing Resolution was adopted on the following roll call vote:

Council Member Carr	Yes
Council Member Hill	Yes
Council Member Kubiak	Yes
Council Member Manforti	Absent
Council Member Maruca	Yes
Council Member Wittmann	Yes

A motion was made by Council Member Carr, seconded by Council Member Wittmann and carried, to adopt the following Resolution.

**RESOLUTION APPOINTING CARL DILEO AS TAX  
SEARCH OFFICER FOR THE TOWNSHIP OF TOMS RIVER**

**January 4, 2016**

WHEREAS, the Mayor has nominated Carl Dileo as Tax Search Officer and the Council has considered same and consents:

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

1. **CARL DILEO**, Tax Collector, be and he is hereby appointed Tax Search Officer for the year 2016 at no additional compensation.

2. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a. Carl Dileo
- b. Municipal Attorney
- c. Chief Financial Officer
- d. Personnel Office
- e. Office of the Township Council
- f. Office of the Mayor

The foregoing Resolution was adopted on the following roll call vote:

Council Member Carr	Yes
Council Member Hill	Yes
Council Member Kubiak	Yes
Council Member Manforti	Absent
Council Member Maruca	Yes
Council Member Wittmann	Yes

A motion was made by Council Member Wittmann, seconded by Council Member Carr and carried, to adopt the following Resolution.

**RESOLUTION CONSENTING TO THE APPOINTMENT OF R. GARRY MUNDY, ESQ. ASSISTANT TOWNSHIP ATTORNEY, TO SERVE AS RENT LEVELING BOARD ATTORNEY**

**JANUARY 4, 2016**

**WHEREAS, Mayor Thomas F. Kelaher has nominated R. Garry Mundy, Esq., Assistant Township Attorney, to serve as Rent Leveling Board Attorney and the Council has considered the same and consents.**

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN, AND STATE OF NEW JERSEY, as follows:**

- 1. It hereby consents to the Mayor's appointment of R. Garry Mundy, Esq., Assistant Township Attorney, to serve as Rent Leveling Board Attorney effective January 1, 2016 and terminating on December 31, 2016 with no additional remuneration.**
- 2. A certified copy of this resolution shall be provided by the Office of the Township clerk to each of the following:**
  - a. Mayor Thomas Kelaher**
  - b. Township Council**
  - c. Business Administrator**
  - d. Municipal Attorney**
  - e. Chief Financial Officer**
  - f. R. Garry Mundy Esquire**
  - g. Personnel**
  - h. Township Clerks Office**

The foregoing Resolution was adopted on the following roll call vote:

Council Member Carr	Yes
Council Member Hill	Yes
Council Member Kubiell	Yes
Council Member Manforti	Absent
Council Member Maruca	Yes
Council Member Wittmann	Yes

A motion was made by Council Member Hill, seconded by Council Member Maruca and carried, to adopt the following Resolution.

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CONSENTING TO THE APPOINTMENT OF KENNETH B. FITZSIMMONS, ESQ., TO SERVE AS SPECIAL MUNICIPAL PROSECUTOR, R. GARRY MUNDY, ESQ., TO SERVE AS FIRST ALTERNATE SPECIAL MUNICIPAL PROSECUTOR, AND ANTHONY MERILINO, ESQ. TO SERVE AS SECOND ALTERNATE SPECIAL MUNICIPAL PROSECUTOR**

**JANUARY 4, 2016**

**WHEREAS, Mayor Thomas F. Kelaher has nominated Kenneth B. Fitzsimmons, Esq., to serve as Special Municipal Prosecutor, R. Garry Mundy, Esq., to serve as First Alternate Special Municipal Prosecutor, and Anthony Merlino, Esq., to serve as Second Alternate Special Municipal Prosecutor, and the Council has considered the same and consents;**

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:**

1. It hereby consents to the Mayor's appointment of Kenneth B. Fitzsimmons, Esq., to serve as Special Municipal Prosecutor, R. Garry Mundy, Esq., to serve as First Alternate Special Municipal Prosecutor, and Anthony Merlino, Esq., to serve as Second Alternate Special Municipal Prosecutor, effective January 1, 2016 and terminating on December 31, 2016 with no additional remuneration.

2. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a. Mayor Thomas Kelaher
- b. Township Council
- c. Municipal Attorney
- d. Chief Financial Officer
- e. Municipal Court
- f. R. Garry Mundy, Esq.
- g. Kenneth B. Fitzsimmons, Esq.
- h. Anthony Merlino, Esq.
- i. Police Department
- j. Purchasing Agent

The foregoing Resolution was adopted on the following roll call vote:

Council Member Carr	Yes
Council Member Hill	Yes
Council Member Kubiak	Yes
Council Member Manforti	Absent
Council Member Maruca	Yes
Council Member Wittmann	Yes

A motion was made by Council Member Maruca, seconded by Council Member Hill and carried, to adopt the following Resolution.

#### **RESOLUTION DESIGNATING OFFICIAL DEPOSITORIES**

**JANUARY 4, 2016**

WHEREAS, the Township Council desires to designate banks as authorized depositories;

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

1. That, CHASE BANK, WELLS FARGO BANKS, TD BANK, OCEAN FIRST BANK, PNC BANK, SANTANDER BANK AND HARMONY BANK OF NEW JERSEY, and any other bank recognized by the State of New Jersey as an authorized depository under the "GOVERNMENTAL UNIT DEPOSITORY PROTECTION ACT," be and they are hereby designated as the official depositories of the Township of Toms River, in the County of Ocean for the year 2016.

2. The Township Clerk shall send a certified copy of this resolution to each of the following:

- a. Chase Bank  
24 Main Street  
Toms River, NJ 08753
- b. Wells Fargo Banks  
40 Main Street  
Toms River, NJ 08753
- c. TD Bank  
1101 Hooper Avenue  
Toms River, NJ 08753
- d. Ocean First Bank

- 975 Hooper Avenue  
Toms River, NJ 08753
- e. PNC Bank  
1329 Hooper Avenue  
Toms River, NJ 08753
- f. Santander Bank of New Jersey  
36 Washington Street  
Toms River, NJ 08753
- g. Harmony Bank  
104 Route 37 East  
Toms River, N.J. 08753
- h. Township Attorney
- i. Township Council Office
- j. Chief Financial Officer
- k. Mayor
- l. Council

The foregoing Resolution was adopted on the following roll call vote:

Council Member Carr	Yes
Council Member Hill	Yes
Council Member Kubiak	Yes
Council Member Manforti	Absent
Council Member Maruca	Yes
Council Member Wittmann	Yes

A motion was made by Council Member Hill, seconded by Council Member Carr and carried, to adopt the following Resolution.

**RESOLUTION AUTHORIZING THE MAYOR, THE CHIEF FINANCIAL OFFICER, CHRISTINE MANOLIO, AND THE TOWNSHIP CLERK, J. MARK MUTTER, TO SIGN CHECKS FOR ALL SUMS OF MONEY TO BE PAID BY THE TOWNSHIP OF TOMS RIVER**

**January 4, 2016**

**BE IT RESOLVED** by the Township Council of the Township of Toms River, in the County of Ocean, and State of New Jersey, as follows:

1. It hereby authorizes the Mayor Thomas F. Kelaher, the Chief Financial Officer, Christine J. Manolio, and the Township Clerk, J. Mark Mutter, to sign checks for all sums of money to be paid by the Township of Toms River in the year 2016.

2. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a. Attorney
- b. Mayor
- c. Business Administrator
- d. J. Mark Mutter, Township Clerk
- e. Chief Financial Officer
- f. Township Auditor

The foregoing Resolution was adopted on the following roll call vote:

Council Member Carr	Yes
Council Member Hill	Yes

Council Member Kubiell	Yes
Council Member Manforti	Absent
Council Member Maruca	Yes
Council Member Wittmann	Yes

A motion was made by Council Member Maruca, seconded by Council Member Hill and carried, to adopt the following Resolution.

## **RESOLUTION APPOINTING MEMBERS OF THE ZONING BOARD OF ADJUSTMENT**

**January 4, 2016**

BE IT RESOLVED, by the Township Council of the Township of Toms River, in the County of Ocean and State of New Jersey, as follows:

1. The following persons be and they are hereby appointed as members of the Toms River Township Board of Adjustment, as follows:

**Regular Members**

Robert Alston	1/1/2016 – 12/31/2019
Lynn O’Toole	1/1/2016 – 12/31/2019

**Alternate Members**

John Meehan Alternate No. 1	1/1/2016 – 12/31/2017
Arnold Taranto Alternate No. 3	1/1/2016 – 12/31/2017

2. The Township Clerk shall send a certified copy of this resolution to each of the following:
  - a. Office of the Township Council
  - b. Office of the Mayor
  - c. Township Attorney
  - d. Board of Adjustment
  - e. Each appointee listed above, who shall present themselves before the Township Clerk and take the Oath of Office

The foregoing Resolution was adopted on the following roll call vote:

Council Member Carr	Abstained
Council Member Hill	Yes
Council Member Kubiell	Yes
Council Member Manforti	Absent
Council Member Maruca	Yes
Council Member Wittmann	Yes

A motion was made by Council Member Maruca, seconded by Council Member Hill and carried, to adopt the following Resolution.

**RESOLUTION APPOINTING MEMBERS OF THE BOARD OF HEALTH**

**January 4, 2016**

BE IT RESOLVED, by the Township Council of the Township of Toms River, in the County of Ocean and State of New Jersey, as follows:

- 1. The following persons be and they are hereby appointed as members of the Township of Toms River Board of Health, as follows:

Elizabeth Jablonski 1/1/2016 to 12/31/2018  
Theresa Kubiel 1/1/2016 to 12/31/2018  
Mario Marano 1/1/2016 to 12/31/2018

- 2. Appointees shall present themselves before the Township Clerk and take the Oath of Office before the appointment created hereby shall become effective.

- 3. The Township Clerk shall send a certified copy to each of the following:

- a. Board of Health
- b. Township Attorney
- c. Office of the Township Council
- d. Office of the Mayor
- e. Appointees

The foregoing Resolution was adopted on the following roll call vote:

Council Member Carr Yes  
Council Member Hill Yes  
Council Member Kubiel Yes  
Council Member Manforti Absent  
Council Member Maruca Yes  
Council Member Wittmann Yes

A motion was made by Council Member Carr, seconded by Council Member Wittmann and carried, to adopt the following Resolution.

**RESOLUTION APPOINTING MEMBERS OF THE TOWNSHIP OF TOMS RIVER MUNICIPAL ALLIANCE**

**January 4, 2016**

WHEREAS, the Mayor has recommended appointments to the Township of Toms River Municipal Alliance Committee and the Council has reviewed and consents to same;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Toms River, in the County of Ocean and State of New Jersey, as follows:

- 1. The following persons are hereby appointed as members of the Township of Toms River Municipal Alliance for the year 2016:

Helen McGovern, Coordinator 337 Edgewood Drive  
Jim Patten 63 Main Street

Toms River, NJ 08755

Toms River, NJ 08753

Martin Fotusky  
436 Colleen Court  
Toms River, NJ 08753

Heidi Hartmann  
c/o Ocean's Harbor House  
3445 Windsor Avenue – PO Box 622  
Toms River, NJ 08753

Leslie Terjesen  
424 Washington Street  
Toms River, NJ 08753

Donna Pappas  
1675 Copperfield Lane  
Toms Riverk NJ 08755

Chrysanthe Patestos  
273 Kettlecreek Road  
Toms River, NJ 08753

Debbie McKenna  
c/o Toms River Schools  
1144 Hooper Avenue  
Toms River, NJ 08753

John Wisniewski  
597 Deer Lane  
Toms River, NJ 08753

Thomas Gross  
1020 Culpepper Drive  
Toms River, NJ 08753

Carol Benevy  
140 Edgewood Drive  
Toms River, NJ 08753

2. The Township Clerk shall send a certified copy of this resolution to each of the following:

- a. Office of the Township Council
- b. Office of the Mayor
- c. Law Department
- d. Police Department
- e. Appointed Members c/o of Helen McGovern, Coordinator
- f. Rebecca Alfaro, County Coordinator  
Alcoholism & Drug Abuse Division  
175 Sunset Avenue  
PO Box 2191  
Toms River, NJ 08754

The foregoing Resolution was adopted on the following roll call vote:

Council Member Carr	Yes
Council Member Hill	Yes
Council Member Kubiell	Yes
Council Member Manforti	Absent
Council Member Maruca	Yes
Council Member Wittmann	Yes

A motion was made by Council Member Maruca, seconded by Council Member Carr and carried, to adopt the following Resolution.

## **RESOLUTION APPOINTING PLANNING BOARD MEMBER**

January 4, 2016

BE IT RESOLVED, by the Township Council of the Township of Toms River, County of Ocean and State of New Jersey, as follows:

1. It hereby appoints the following Council Member to the Township of Toms River Planning Board, in accordance with the provisions of the “Code of the Township of Toms River, New Jersey,” and N.J.R.S. 40-55D-23.

MAURICE B. “MO” HILL  
(CLASS III) for a term of one (1)  
Year to expire December 31, 2016

2. The Township Clerk shall send a certified copy of this resolution to the following:
  - a. Appointee who shall present himself before the Township Clerk to take and subscribe to the Oath of Office
  - b. Secretary to the Planning Board
  - c. Township Attorney
  - d. Office of Township Council
  - e. Office of Mayor

The foregoing Resolution was adopted on the following roll call vote:

Council Member Carr	Yes
Council Member Hill	Yes
Council Member Kubiell	Yes
Council Member Manforti	Absent
Council Member Maruca	Yes
Council Member Wittmann	Yes

A motion was made by Council Member Carr, seconded by Council Member Maruca and carried, to adopt the following Resolution.

## RESOLUTION CONSENTING TO THE APPOINTMENT OF DEPARTMENT DIRECTORS

January 4, 2016

WHEREAS, pursuant to Chapter 23-2 of the Code of the Township of Toms River, Ocean County, New Jersey, Mayor Thomas F. Kelaher has appointed several Directors of Departments; and

WHEREAS, the Township Council, pursuant to Chapter 23-2 of the Code, has advised and consented to said appointments;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Toms River, County of Ocean, State of New Jersey, as follows:

- (1) The Township Council hereby consents to the following appointments effective January 1, 2016:

- (A) Craig Ambrosio: Director, Parks, Buildings and Grounds Department
- (B) JoAnn Benson: Director, Health and Human Services Department
- (C) Paul Shives: Director, Administration Department (Administrator Shives contract previously extended to August 2, 2019.)

- (2) Said Department Directors shall receive such remuneration, benefits, and salary as provided by law.

- (3) The Municipal Clerk shall provide certified copies of this resolution to:

- A. Mayor
- B. Council

- C. Administrator
- D. Chief Financial Officer
- E. Department Directors appointed by this resolution

The foregoing Resolution was adopted on the following roll call vote:

Council Member Carr	Yes
Council Member Hill	Yes
Council Member Kubiak	Yes
Council Member Manforti	Absent
Council Member Maruca	Yes
Council Member Wittmann	Yes

A motion was made by Council Member Maruca, seconded by Council Member Carr and carried, to adopt the following Resolution.

**RESOLUTION APPOINTING REGULAR MEMBER AND CHAIRPERSON TO THE RENT LEVELING BOARD**

January 4, 2016

WHEREAS, the Township Council has appointed members of the Toms River Township Rent Leveling Board;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Toms River, County of Ocean and State of New Jersey, as follows:

1. That the following individuals shall be and are hereby appointed as members of the Township of Toms River Rent Leveling Board with term as noted below effective January 1, 2016 to December 31, 2020.

**REGULAR MEMBER**

John Solly  
13 Raymond Avenue  
Toms River, NJ 08753

Dr. Martin Steinweiss  
1861 Hooper Avenue, Unit 8  
Toms River, NJ 08753

**CHAIRPERSON FOR 2016:**

Shireen Muldowney  
1207 King George Layne  
Toms River, NJ 08753

- a. The Township Clerk shall send a certified copy of this resolution to each of the following:
  - a) Office of the Mayor
  - b) Office of the Township Council
  - c) Township Attorney
  - d) Appointees, who shall present themselves before the Township Clerk and take the Oath of Office before the appointment created hereby shall become effective.
  - e) Rent Leveling Board

The foregoing Resolution was adopted on the following roll call vote:

Council Member Carr	Yes
---------------------	-----

Council Member Hill	Yes
Council Member Kubiell	Yes
Council Member Manforti	Absent
Council Member Maruca	Yes
Council Member Wittmann	Yes

A motion was made by Council Member Maruca, seconded by Council Member Carr and carried, to adopt the following Resolution.

**RESOLUTION APPOINTING MEMBERS OF THE TOWNSHIP OF TOMS RIVER VETERANS COMMISSION**

**January 4, 2016**

BE IT RESOLVED, by the Township Council of the Township of Toms River, in the County of Ocean and State of New Jersey, as follows:

1. That the following individuals shall be and are hereby appointed or reappointed by the Council, as members of the Veterans Commission, pursuant to Chapter 76-2 of the "Code of the Township of Toms River, New Jersey," terms to expire December 31, 2016.

Robert Larned  
100 Westwood Drive  
Toms River, NJ 08753

Kenneth Langdon  
89 Harding Avenue  
Ortley Beach, NJ 08751

Raymond Latshaw  
62 Grand Avenue  
Toms River, NJ 08753

John J. Loiacono  
982 Edinburgh Drive  
Toms River, NJ 08753

2. The Township Clerk shall provide a copy of this resolution to each of the following:
  - a. Office of the Mayor
  - b. Office of the Township Council
  - c. Township Attorney
  - d. Personnel Office
  - e. Appointees

The foregoing Resolution was adopted on the following roll call vote:

Council Member Carr	Yes
Council Member Hill	Yes
Council Member Kubiell	Yes
Council Member Manforti	Absent
Council Member Maruca	Yes
Council Member Wittmann	Yes

A motion was made by Council Member Carr, seconded by Council Member Wittmann and carried, to adopt the following Resolution.

**RESOLUTION**

**January 4, 2016**

WHEREAS, the Mayor has made the following nominations for School Crossing Guards and the Council has considered same and consents;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF

TOMS RIVER, IN THE COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

1. The following persons be and they are hereby appointed SCHOOL CROSSING GUARDS of the Township of Toms River Police Department for the year 2016:

SCHOOL CROSSING GUARD APPOINTMENTS 2016:

Kathleen Brew  
18 Woodridge Avenue  
Toms River, NJ 08755

Patrick Cassidy  
69 Regent Circle  
Brick, NJ 08723

Paula Carolan  
4 Vincent Street  
Toms River, NJ 08753

John Minelli  
18 Santo Domingo Dr.  
Toms River, NJ 08757

Elizabeth Ciriello  
523 Vine Street  
Toms River, NJ 08753

John Reilly  
57 12<sup>th</sup> Street  
Toms River, NJ 08753

Sharon Flanagan  
4 Cherry Court  
Toms River, NJ 08753

Frank Minor  
44 Daisy Road  
Toms River, NJ 08753

Elfriede Goode  
1449 Colorado Drive  
Toms River, NJ 08753

Dolores Haring  
12 Tivoli St  
Toms River, NJ 08757

Kathleen Goode  
1449 Colorado Drive  
Toms River, NJ 08753

Gail Renkin  
1863 Monitor Drive  
Toms River, NJ 08753

Carol Chadwick  
1130 Dove Street  
Toms River, NJ 08753

Sandra Bonassisa  
12 Pine Tree Road  
Toms River, NJ 08753

Christine Thompson  
PO Box 881  
Toms River, NJ 08754

Bob Whritenour  
1000 Crystal Drive  
Toms River, NJ 08753

Anita Williamson  
283 Aldo Drive  
Toms River, NJ 08753

Susan Wong  
2484 Polhemus Road  
Toms River, NJ 08753

Lori Moniz  
7 Kirkwood Court  
Toms River, NJ 08757

Helen Solly  
13 Raymond Avenue  
Toms River, NJ 08753

Richard Maurer  
2300-2 Massachusetts Ave  
Toms River, NJ 08753

Salvatore Graziano  
37 Kim Court  
Toms River, NJ 08755

Donna Moore  
305 Bent Trail  
Toms River, NJ 08753

Cathleen Keller  
2413 5<sup>th</sup> Avenue  
Toms River, NJ 08753

Susan Desiderio  
219 Alabama Ave.  
Toms River, NJ 08753

William Agresta  
207 Dayton Avenue  
Toms River, NJ 08753

Mike Warren  
854 Paul Drive  
Toms River, NJ 08753

Alice Worth  
119 Silverwood Ct  
Toms River, NJ 08753

**Substitutes:**

Dawn Rotella  
235 Pennant Avenue  
Beachwood, NJ 08722

Lorraine Varhola  
559 Roosevelt Avenue  
Toms River, NJ 08753

Erin DiGiantomaso  
93 Circle Drive  
Toms River, NJ 08753

Irene Olivier  
54 Oak Hill Drive  
Toms River, NJ 08753

**Saint Joseph' s Crossing Guards 2016:**

Michael Penner  
21 Fairway Drive  
Toms River, NJ 08753

David Lachenauer  
225 Bash Road  
Toms River, NJ 08753

William Capraun  
254 Alabama Avenue  
Toms River, NJ 08753

**Saint Joseph' s Substitute Crossing Guards:**

Wade Elms  
812 Holly Blvd.  
Bayville, NJ 08721

Ronald Ferri  
2024 Yorktown Blvd.  
Toms River, NJ 08753

Kevin Downing  
129 Spray Avenue  
Beachwood, NJ 08722

Mario Majchrowski  
16 Tuyahov Blvd.  
Toms River, NJ 08755

2. No fee shall be charged to said appointees for said certificates of appointment.
3. No appointee shall carry a revolver or other weapon while performing the duties herein created.
4. Each appointee shall present himself/herself before the Township Clerk and take the Oath of Office before the appointments created hereby shall become effective.
5. Township Clerk shall send a certified copy of this resolution to each of the following:
  - a. Each appointee listed above
  - b. Police Department
  - c. Township Attorney
  - d. Township Chief Financial Officer
  - e. Personnel Office
  - f. Office of the Township Council
  - g. Office of the Mayor

The foregoing Resolution was adopted on the following roll call vote:

Council Member Carr

Yes

Council Member Hill	Yes
Council Member Kubiell	Yes
Council Member Manforti	Absent
Council Member Maruca	Yes
Council Member Wittmann	Yes

A motion was made by Council Member Carr, seconded by Council Member Wittmann and carried, to adopt the following Resolution.

**RESOLUTION APPOINTING TOWNSHIP  
PARKING VIOLATION OFFICERS**

January 4, 2016

WHEREAS, the Mayor has made the following nominations for appointments as Parking Violation Officers and the Council has considered same and consents;

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

1. The following persons be and they are hereby appointed **PARKING VIOLATIONS OFFICERS** for the Year 2016:

**PAMELA L. PINER - BADGE #858**  
2562 Balfrey Drive  
Toms River, NJ 08753

**DIANA KUCHARIK - BADGE #839**  
557 Sica Lane  
Toms River, NJ 08753

**MARIAN NADEAU - BADGE #857**  
4 Concord Lane  
Toms River, NJ 08753

**MARY MCCLAVE - BADGE #863**  
3 Jade Ct.  
Toms River, NJ 08753

**LISA CHIURAZZI - BADGE #860**  
114 Dickinson Ave.  
Toms River, NJ 08753

**KYLE GERVASIO - BADGE #861**  
1040 Route 166  
Apt 1109  
Toms River, NJ 08753

2. No fee shall be charged to said appointees for said certificates of appointment.
3. No appointee shall carry a revolver or other weapon while performing the duties herein created.
4. Each appointee shall present himself/herself before the Township Clerk

and take the Oath of Office before the appointment created hereby becomes effective.

- 5. A certified copy hereof shall be sent to each of the following:
  - a. Township Attorney
  - b. Police Department
  - c. Appointees listed above via the Parking Authority
  - d. Human Resources Office
  - e. Office of the Township Council
  - f. Office of the Mayor

The foregoing Resolution was adopted on the following roll call vote:

Council Member Carr	Yes
Council Member Hill	Yes
Council Member Kubiak	Yes
Council Member Manforti	Absent
Council Member Maruca	Yes
Council Member Wittmann	Yes

A motion was made by Council Member Carr, seconded by Council Member Wittmann and carried, to adopt the following Resolution.

**RESOLUTION DESIGNATING THE ASBURY PARK PRESS  
AS THE OFFICIAL NEWSPAPER**

**JANUARY 4, 2016**

WHEREAS, the Township of Toms River has a need to designate an official newspaper for calendar year 2016; and

WHEREAS, the anticipated term of this contract is for one year; and

WHEREAS, awards for business entities are subject to campaign contribution reform laws as set forth in N.J.S.A. 19:44A-20.4 et. seq. and the Toms River Township Administrative Code Chapter 84-1, "Prohibition on awarding public contracts to certain contributors", and the award for these contracts will be less than \$17,500 for each vendor;

WHEREAS, newspaper businesses receiving contract awards for the calendar year 2016 from the Township of Toms River have completed and submitted Business Entity Disclosure Certifications which certify that their firm has not made any reportable contributions to a political or candidate committee of the Township of Toms River or the County Ocean in contravention of New Jersey's Pay-To-Play Law or the Toms River Township Administrative Code Chapter 84-1, and that this form acknowledges that the contract will prohibit it from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Township of Toms River hereby designate the Asbury Park Press as the official newspaper of the Township and authorizes the Mayor to enter into contracts as described herein subject to submission of Pay-to-Play forms.

BE IT FURTHER RESOLVED that all costs, fees, and compensation are subject

to the execution of a contract, the availability of funds and the adoption of the CY 2016 budget; The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk; and

BE IT FURTHER RESOLVED THAT notice of this contract award shall be published within 10 days of the within the date of this Resolution, in the official newspaper of the Township of Toms River.

BE IT FURTHER RESOLVED THAT a certified copy of this Resolution shall be provided by the Office of the Township Clerk to each of the following:

- a) Township Attorney
- b) Chief Financial Officer
- c) Purchasing
- d) Mayor
- e) Township Council
- f) Township Clerk
- g) Business Administrator
- h) Cathy Wolf, Clerk's Office
- i) Asbury Park Press  
3601 Highway 66  
Neptune, New Jersey 07754

### **CERTIFICATION**

**THIS IS TO CERTIFY** that the funds for the contract with the Asbury Park Press/Gannet, are subject to execution of a contract, the availability of funds, and the adoption of the CY 2016 budget.

More specifically, the actual encumbrance of the funds will be based on the approval of a fully executed purchase order by the Chief Financial Officer. Said purchase order will encumber the funds for the affected account at that time.

CHRISTINE J. MANOLIO  
CHIEF FINANCIAL OFFICER

Dated: January 4, 2016

The foregoing Resolution was adopted on the following roll call vote:

Council Member Carr	Yes
Council Member Hill	Yes
Council Member Kubiak	Yes
Council Member Manforti	Absent
Council Member Maruca	Yes
Council Member Wittmann	Yes

A motion was made by Council Member Hill, seconded by Council Member Carr and carried, to adopt the following Resolution.

### **RESOLUTION DESIGNATING THE STAR LEDGER AND ATLANTIC CITY PRESS AS OFFICIAL NEWSPAPERS JANUARY 4, 2016**

WHEREAS, the Township of Toms River has a need to designate an official newspaper for calendar year 2016; and

WHEREAS, the anticipated term of this contract is for one year; and

WHEREAS, awards for business entities are subject to campaign contribution reform laws as set forth in N.J.S.A. 19:44A-20.4 et. seq. and the Toms River Township Administrative Code Chapter 84-1, "Prohibition on awarding public contracts to certain contributors" and the award for these contracts will be less than \$17,500 for each vendor.

WHEREAS, newspaper businesses receiving contract awards for the calendar year 2016 from the Township of Toms River have completed and submitted Business Entity Disclosure Certifications which certify that their firm has not made any reportable contributions to a political or candidate committee of the Township of Toms River or the County Ocean in contravention of New Jersey's Pay-To-Play Law or the Toms River Township Administrative Code Chapter 84-1, and that this form acknowledges that the contract will prohibit it from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Township of Toms River hereby designate the Star Ledger and Atlantic City Press as the official newspaper of the Township and authorizes the Mayor to enter into contracts with as described herein subject to submission of Pay-to-Play forms.

BE IT FURTHER RESOLVED that all costs, fees, and compensation are subject to the execution of a contract, the availability of funds and the adoption of the CY 2016 budget; The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk; and

BE IT FURTHER RESOLVED THAT notice of this contract award shall be published within 10 days of the within the date of this Resolution, in the official newspaper of the Township of Toms River.

BE IT FURTHER RESOLVED THAT a certified copy of this Resolution shall be provided by the Office of the Township Clerk to each of the following:

- a) Township Attorney
- b) Chief Financial Officer
- c) Purchasing
- d) Mayor
- e) Township Council
- f) Township Clerk
- g) Business Administrator
- h) Cathy Wolf, Clerk's Office
- i) Star Ledger  
1 Star Ledger Plaza  
Newark, NJ 07102
- j) Atlantic City Press  
11 Devin's Lane  
Pleasantville, NJ 08232

## **CERTIFICATION**

**THIS IS TO CERTIFY** that the funds for the contract with the Atlantic City Press/Star Ledger, are subject to execution of a contract, the availability of funds, and the adoption of the CY 2016 budget.

More specifically, the actual encumbrance of the funds will be based on the approval of a fully executed purchase order by the Chief Financial Officer. Said purchase order will encumber the funds for the affected account at that time.

CHRISTINE J. MANOLIO  
CHIEF FINANCIAL OFFICER

Dated: January 4, 2016

The foregoing Resolution was adopted on the following roll call vote:

Council Member Carr	Yes
Council Member Hill	Yes
Council Member Kubiell	Yes
Council Member Manforti	Absent
Council Member Maruca	Yes
Council Member Wittmann	Yes

A motion was made by Council Member Maruca, seconded by Council Member Carr and carried, to adopt the following Resolution.

**RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR CODIFICATION SERVICES FOR MUNICIPAL CODE REVISIONS FOR CALENDAR YEAR 2016 TO GENERAL CODE, LLC**

**JANUARY 4, 2016**

WHEREAS, the Township of Toms River has a need to acquire codification services for municipal code revisions for calendar year 2016; and

WHEREAS, the anticipated term of this contract is for one year; and

WHEREAS, General Code, LLC, 72 Hinchey Road, Rochester, N.Y. 14624 has provided professional and responsive services to the Township for past codification services; and

WHEREAS, the Toms River Township Clerk has determined that the value of the services will not exceed \$17,500.00; and

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Township of Toms River approves the proposed contract award and authorizes the Mayor to enter into a contract with General Code, LLC. at the following rates:

Content Specialist

1. File Prep, Work Processing, Proof Reading, Quality Check, Data Transfer  
(Range of \$90.00 to \$130.00)  
Hourly Rates for all other job titles.
2. Edit Analysis, Project Management:  
(Range of \$160.00 to \$200.00)

Materials and Handling

1. Order Processing: \$75.00 per event
2. Binders: (approximately \$20.00/binder)
3. Printing, sorting, packaging and distribution:  
(approximately \$.10/page)

BE IT FURTHER RESOLVED that all costs, fees, and compensation are subject

to the execution of a contract, the availability of funds and the adoption of the CY'16 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk;

BE IT FURTHER RESOLVED a notice of this action shall be advertised once by the Clerk in the newspaper with the lowest advertising rate.

A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a) Township Attorney
- b) Purchasing
- c) Chief Financial Officer
- d) Township Clerk
- e) General Code, LLC  
72 Hinchey Road  
Rochester, New York 14624  
Attention: Bruce Cadman

### CERTIFICATION

THIS IS TO CERTIFY that the funds for the contract with General code, LLC, for calendar year 2016 is at the following rates:

#### Content Specialist

1. File Prep, Work Processing, Proof Reading, Quality Check, Data Transfer  
(Range of \$90.00 to \$130.00)  
Hourly Rates for all other job titles.
2. Edit Analysis, Project Management:  
(Range of \$160.00 to \$200.00)

#### Materials and Handling

1. Order Processing: \$75.00 per event
2. Binders: (approximately \$20.00/binder)
3. Printing, sorting, packaging and distribution:  
(approximately \$.10/page)

All costs, fees and compensation are subject to the execution of a contract, the availability of funds and the adoption of the CY'16 budget.

More specifically, the actual encumbrance of the funds will be based upon the approval of fully executed purchase orders by the Chief Financial Officer. Said purchase orders will encumber the funds for the affected account at that time.

CHRISTINE J. MANOLIO  
CHIEF FINANCIAL OFFICER

Dated: January 4, 2016

The foregoing Resolution was adopted on the following roll call vote:

Council Member Carr	Yes
Council Member Hill	Yes
Council Member Kubiell	Yes
Council Member Manforti	Absent
Council Member Maruca	Yes
Council Member Wittmann	Yes

A motion was made by Council Member Maruca, seconded by Council Member Hill

and carried, to adopt the following Resolution.

## **RESOLUTION**

January 4, 2016

WHEREAS, the Township Committee of the Township of Toms River previously passed a resolution on February 14, 1984 establishing the Auxiliary Police as prescribed by N.J.S.A. Appendix A, Chapter 9 (National Defense Title) and other related orders and directives of the State Director of Emergency Management or the Governor of the State of New Jersey and the State Civil Defense Act (Chapter 251, P.L. 1942, as amended); and

WHEREAS, Mitchell Little, Chief of Police of the Township of Toms River, has recommended the appointment of Officers to serve in the Auxiliary Police; and

WHEREAS, the Mayor has reviewed said appointments and Council has reviewed said appointments and consents;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

1. The following persons are appointed as members of the Township of Toms River Auxiliary Police for a term to expire December 31, 2016:

Captain Daniel G. Mackin  
1154 Aster Drive  
Toms River, NJ 08753

Sgt. Curtis T. Carlson  
22 Brentwood Drive  
Bayville, NJ 08721

Sgt. Christopher J. Torres  
83 Walnut Street Apt. 21  
Toms River, NJ 08755

Sgt. William K. Parrish  
909 Harrison Road  
Toms River, NJ 08753

Ptl. Richard M. Clark  
1596 Marco Island Road  
Toms River, NJ 08753

Ptl. Kate Dinnebeil  
805 Gilmores Island Rd.  
Toms River, NJ 08753

Ptl. Miguel Fernandez  
801 Locust Road  
Beachwood, NJ 08722

Ptl. Jessica S. Gilham Cirz  
111 River Crest Drive  
Toms River, NJ 08753

Ptl. Matthew Downs  
2014 Windsor Avenue  
Toms River, NJ 08753

Ptl. Kevin Gillespie  
5 Vernon Street  
Toms River, NJ 08755  
Ptl. Nicholas Lugo

102 Maine Street  
Toms River, NJ 08753

Ptl. Tyler Riker  
1630 Whittier Avenue  
Toms River, NJ 08753

Ptl. Frank Cimirro  
713 Amherst Rd.  
Lanoka Harbor, NJ 08734

Ptl. Veronica Hanna  
406 Sycamore Drive  
Lanoka Harbor, NJ 08734

Ptl. Darren Murrin  
1111 Overlook Drive  
Toms River, NJ 08753

Ptl. Nicole Orbin  
296 Alabama Ave.  
Toms River, NJ 08753

Ptl. Jonathan Fernandez  
801 Locust Road  
Beachwood, NJ 08722

Ptl. Brian Troy  
730 Tall Oaks Drive  
Brick, NJ 08724

Trustee John C. Solly  
13 Raymond Avenue  
Toms River, NJ 08753

Trustee John Swierz  
1097 Westlake Drive  
Toms River, NJ 08753

Trustee Joseph Marone, Jr.  
35 Roman Street  
Toms River, NJ 08753

Trustee Alan Tucker  
208 Charlotteville Dr. N  
Toms River, NJ 08757

Sec. LuAnn K. Mackin  
1154 Aster Drive  
Toms River, NJ 08753

2. Township Clerk shall send a certified copy of this resolution to each of the following:

- a. Township Council
- b. Chief of Police
- c. Paul Daley
- d. Personnel
- e. Mayor
- f. Law

The foregoing Resolution was adopted on the following roll call vote:

Council Member Carr

Yes

Council Member Hill	Yes
Council Member Kubiak	Yes
Council Member Manforti	Absent
Council Member Maruca	Yes
Council Member Wittmann	Yes

A motion was made by Council Member Hill, seconded by Council Member Wittmann and carried, to adopt the following Resolution.

## **RESOLUTION APPOINTING CLASS I OFFICERS (JAIL AND SEASONAL) FOR 2016**

**January 4, 2016**

WHEREAS, there is a need to appoint Class I Officers for the Municipal Jail and for seasonal purposes for the calendar year 2016; and

WHEREAS, Mitchell Little, Chief of Police of the Township of Toms River has reviewed said appointment of Officers; and

WHEREAS, the Mayor has reviewed said appointments and Council has reviewed said appointments and consents;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Toms River, in the County of Ocean and State of New Jersey, as follows:

1. The following persons are appointed as members of the Township of Toms River Class I Officers for 2016:

O'Melia, John	Jail Supervisor
McPhee, Joseph	Jail Guard - Class 1
Morales, Alexandria	Jail Guard - Class 1
Perez, Eliot	Jail Guard - Class 1
Rogan, Matthew	Jail Guard - Class 1
Leighton, Shane	Jail Guard - Class 1
Piccoli, Joseph	Jail Guard - Class 1
Defalcon, Thomas	Jail Guard - Class 1
Dougherty, Brad	Jail Guard - Class 1
Piegario Jr., Daniel	Jail Guard - Class 1
Gadaleta, Robert	Jail Guard - Class 1
Mendyk, Eric	Jail Guard - Class 1
Buckley, Sarah	Jail Guard - Class 1
Malta, Nicholas	Jail Guard - Class 1
Walters, Eric	Jail Guard - Class 1
Fairchild, Catherine	Jail Guard - Class 1
Carolan, John	Jail Guard - Class 1
Thompson, David	Administration -Class 1
Magovern, James	Administration -Class 1
Sinanan, Stoifain	Administration -Class 1
Gilham-Cirz, Jessica	Parks Security - Class 1
Weg, Michael	Parks Security - Class 1
Carlson, Curtis	Parks Security - Class 1
Schmelter, Matthew	Parks Security - Class 1
Cannella, Kristi	Parks Security - Class 1
Leone, Joseph	Parks Security - Class 1

2. The Township Clerk shall send a certified copy of this resolution to each of the following:

- a. Office of the Township Council
- b. Office of the Mayor
- c. Chief of Police
- d. Human Resources
- e. Law Department

The foregoing Resolution was adopted on the following roll call vote:

Council Member Carr	Yes
Council Member Hill	Yes
Council Member Kubiell	Yes
Council Member Manforti	Absent
Council Member Maruca	Yes
Council Member Wittmann	Yes

A motion was made by Council Member Maruca, seconded by Council Member Hill and carried, to adopt the following Resolution.

**RESOLUTION APPOINTING GAIL CATANIA QPA, PURCHASING AGENT, AS THE TOWNSHIP OF TOMS RIVER' S PUBLIC AGENCY COMPLIANCE OFFICER (P. A. C. O.) FOR CONTRACT COMPLIANCE AND EQUAL EMPLOYMENT OPPORTUNITY, IN PUBLIC CONTRACTING**

**JANUARY 4, 2016**

**BE IT RESOLVED** by the Township Council of the Township of Toms River, in the County of Ocean, and State of New Jersey, as follows:

1. Gail Catania, QPA, Purchasing Agent, is hereby appointed as the Township of Toms River's Public Agency Compliance Officer (P.A.C.O.) for contract compliance and equal employment opportunity, in public contracting, at no additional remuneration, pursuant to N.J.A.C. 17:27-3.2.
2. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a) Chief Financial Officer
- b) Township Attorney
- c) Personnel
- d) Purchasing
- e) State of New Jersey  
Department of the Treasury  
Division of Contract Compliance and Equal  
Employment Opportunity in Public Contracts  
Attn: Deirdre Webster Cobb, Division  
Director  
CN 209  
Trenton, N. J. 08625-0209
- f) Gail Catania, QPA,  
Purchasing Agent

The foregoing Resolution was adopted on the following roll call vote:

Council Member Carr	Yes
Council Member Hill	Yes
Council Member Kubiell	Yes
Council Member Manforti	Absent

Council Member Maruca	Yes
Council Member Wittmann	Yes

A motion was made by Council Member Wittmann, seconded by Council Member Maruca and carried, to adopt the following Resolution.

**RESOLUTION APPOINTING THE TOWNSHIP INSURANCE FUND REPRESENTATIVE**

**JANUARY 4, 2016**

WHEREAS, the Township of Toms River is a member of the Ocean County Joint Insurance Fund; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

1. That Paul J. Shives be and he is hereby appointed as the Township Insurance Representative pursuant to Chapter 6 of the "Code of the Township of Toms River, New Jersey" for a term of one year commencing January 1, 2016 and terminating December 31, 2016.
2. The Township Clerk shall send a certified copy of this resolution to each of the following:
  - a. Attorney
  - b. Chief Finance Officer
  - c. Insurance Fund Commission
  - d. Township Council
  - e. PERMA/Ocean County Municipal Joint Insurance Fund  
Park 80 West  
Plaza One  
Saddle Brook, NJ 07663
  - f. Steven A. Zabarsky, Esq.  
248 Washington Street  
Toms River, NJ 08753
  - g. Paul J. Shives

The foregoing Resolution was adopted on the following roll call vote:

Council Member Carr	Yes
Council Member Hill	Yes
Council Member Kubiak	Yes
Council Member Manforti	Absent
Council Member Maruca	Yes
Council Member Wittmann	Yes

A motion was made by Council Member Maruca, seconded by Council Member Hill and carried, to adopt the following Resolution.

**RESOLUTION APPOINTING POLICE CHAPLAINS OF THE TOWNSHIP OF TOMS RIVER**

**January 4, 2016**

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

1. **Reverend Scott Thayer** is hereby appointed Christian Police Chaplain pursuant to Chapter 114, Article VI of the "Code of the Township of Toms River, New Jersey," for a term commencing January 1, 2016 and terminating December 31, 2016.

2. **Rabbi Ellen Wolintz-Fields** is hereby appointed Jewish Police Chaplain pursuant to Chapter 114, Article VI of the "Code of the Township of Toms River, New Jersey," for a term commencing January 1, 2016 and terminating December 31, 2016.

3. **Reverend Bruce T. Ewen** is hereby appointed Lutheran Police Chaplain pursuant to Chapter 114, Article VI of the "Code of the Township of Toms River, New Jersey," for a term commencing January 1, 2016 and terminating December 31, 2016.

4. **Reverend Walter Healy** is hereby appointed Christian Police Chaplain pursuant to Chapter 114, Article VI of the "Code of the Township of Toms River, New Jersey," for a term commencing January 1, 2016 and terminating December 31, 2016.

5. **Reverend Scott Schaffer** is hereby appointed Catholic Police Chaplain pursuant to Chapter 114, Article VI of the "Code of the Township of Toms River, New Jersey," for a term commencing January 1, 2016 and terminating December 31, 2016.

6. **Reverend Mark Kreder** is hereby appointed Catholic Police Chaplain pursuant to Chapter 114, Article VI of the "Code of the Township of Toms River, New Jersey," for a term commencing January 1, 2016 and terminating December 31, 2016.

7. **Father Paul Pappas** is hereby appointed Greek Orthodox Police Chaplain pursuant to Chapter 114, Article VI of the "Code of the Township of Toms River, New Jersey," for a term commencing January 1, 2016 and terminating December 31, 2016.

8. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a. Reverend Scott Thayer  
Presbyterian Church of Toms River  
1070 Hooper Avenue  
Toms River, NJ 08753
- b. Rabbi Ellen Wolintz-Fields  
Congregation B'nai Israel  
1488 Old Freehold Road  
Toms River, NJ 08753
- c. Reverend Bruce T. Ewen  
Holy Cross Lutheran Church  
1500 Hooper Avenue  
Toms River, NJ 08753
- d. Reverend Walter Healy  
Church of Grace and Peace  
1563 Old Freehold Road  
Toms River, NJ 08755
- e. Reverend Scott Shaffer  
St. Joseph's Roman Catholic Church  
509 Hooper Avenue  
Toms River, NJ 08753
- f. Reverend Mark Kreder

St. Justin's Roman Catholic Church  
975 Fischer Blvd.  
Toms River, NJ 08753

- g. Father Paul Pappas  
St. Barbara's Greek Orthodox Church  
2200 Church Road  
Toms River, NJ 08753
- h. Kenneth Fitzsimmons, Township Attorney
- i. Chief of Police, Mitch Little
- j. Office of the Township Council
- k. Mayor
- l. Personnel

The foregoing Resolution was adopted on the following roll call vote:

Council Member Carr	Yes
Council Member Hill	Yes
Council Member Kubiak	Yes
Council Member Manforti	Absent
Council Member Maruca	Yes
Council Member Wittmann	Yes

A motion was made by Council Member Wittmann, seconded by Council Member Hill and carried, to adopt the following Resolution.

**RESOLUTION ESTABLISHING TEMPORARY BUDGET  
JANUARY 4, 2016**

WHEREAS, N.J.S. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2016 Budget temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, the date of this resolution is within the first thirty days of January, 2016; and

WHEREAS, the total appropriations in the 2016 Budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance, is the sum of \$113,222,780.86 Current Fund; \$1,006,000.00 Bey Lea Utility Fund and \$1,088,250.00, Winding River Utility Fund.

WHEREAS, 26.25% of the total appropriations in the 2016 Budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2016 Budget is the sum of \$40,120,979.98 Current Fund; \$564,575.00, Bey Lea Utility Fund and \$286,165.63 Winding River Utility Fund.

NOW, THEREFORE, BE IT RESOLVED by the Township of Toms River, County of Ocean and State of New Jersey that the attached 2016 Temporary Budget appropriations be made.

BE IT FURTHER RESOLVED that a certified copy of this resolution be provided by the Office of the Township Clerk to each of the following:

- a) Director of Finance/CF0
- b) Department Heads
- c) Auditor

Approved as to Content

CURRENT

2015 Current Budget	\$	126,265,083.43
2015 Debt Service	\$	(12,162,302.57)
2015 Capital Improvement Fund	\$	(880,000.00)
Subtotal	\$	113,222,780.86
26.25%	\$	29,720,979.98
Add Back 2016 Debt Service	\$	10,000,000.00
Add Back 2016 Capital Improvement Fund	\$	400,000.00
Total Maximum allowable	\$	40,120,979.98

BEY LEA

2015 Bey Lea Budget	\$	1,340,300.00
2015 Debt Service	\$	(333,300.00)
2015 Capital Improvement Fund	\$	(1,000.00)
Subtotal	\$	1,006,000.00
26.25%	\$	264,075.00
Add Back 2016 Debt Service	\$	300,000.00
Add Back 2016 Capital Improvement Fund	\$	500.00
Total Maximum Allowable	\$	564,575.00

WINDING RIVER

2015 Winding River Budget	\$	1,089,250.00
2015 Capital Improvement Fund	\$	(1,000.00)
Subtotal	\$	1,088,250.00
26.25%	\$	285,665.63
Add Back 2016 Capital Improvement Fund	\$	500.00
Total Maximum Allowable	\$	286,165.63

The foregoing Resolution was adopted on the following roll call vote:

Council Member Carr	Yes
Council Member Hill	Yes

Council Member Kubiell	Yes
Council Member Manforti	Absent
Council Member Maruca	Yes
Council Member Wittmann	Yes

A motion was made by Council Member Maruca, seconded by Council Member Hill and carried, to adopt the following Resolution.

**RESOLUTION REGARDING THE RE-ESTABLISHMENT  
OF PETTY CASH FUNDS**

**January 4, 2016**

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

1. The following Petty Cash Funds are hereby re-established for 2016 for the various Departments of the Township of Toms River:
  - A. Department of Recreation: \$500.00. Said sum shall be utilized in order to pay for various minimal purchases and expenses incurred by the aforesaid Department. Jared Tate shall be the Custodian of the Petty Cash Fund.
  - B. Department of Law Enforcement: \$600.00. Said sum shall be utilized for the payment of motor vehicle registrations and various minimal miscellaneous travel expenses incurred by the aforesaid Department. Captain James Harris shall be the Custodian of the Petty Cash Fund.
  - C. Department of Public Works: \$250.00. Said sum shall be utilized for the payment of motor vehicle registrations and transfers and various minimal miscellaneous travel expenses incurred by the aforesaid Department. Walter Wells shall be the Custodian of the Petty Cash Fund.
  - D. Division of Youth Services: \$250.00. Said sum shall be utilized in order to pay for admission to youth oriented events and various miscellaneous travel expenses incurred by the aforesaid Office. Adam Silversmith shall be the Custodian of the Petty Cash Fund.
  - E. Division of Senior Services: \$250.00 Said sum shall be utilized for the purchase of newspapers and periodicals and for various minimal purchases and expenses, including travel expenses of the aforesaid Office. JoAnn Benson shall be the Custodian of the Petty Cash Fund.
  - F. Division of Purchasing: \$250.00. Said sum shall be utilized for the minimal purchases of various supplies and related items and miscellaneous travel expenses incurred by the personnel of the Township of Toms River. Gail Catania shall be the Custodian of the Petty Cash Fund.
  - G. Winding River Ice Rink: \$250.00. Said sum shall be utilized, in order to pay for various minimal purchases and expenses incurred by the aforesaid Department. Robert DiBiase shall be the Custodian of the Petty Cash Fund.
  - H. Bey Lea Golf Course: \$250.00. Said sum shall be utilized in order to pay for various minimal purchases and expenses incurred by the aforesaid Department. Joseph Kinlin shall be the Custodian of the Petty Cash Fund.
  - I. Municipal Alliance Office: \$100.00. Said sum shall be utilized in order to pay for various minimal purchases and expenses incurred by the aforesaid Office. Joann Benson shall be the Custodian of the Petty Cash Fund.

- J. Department of Parks, Buildings and Grounds: \$500.00. Said sum to be utilized in order to pay for the minimal purchases and expenses incurred by the aforesaid Department. Craig Ambrosio shall be the custodian.
  - K. Department of Animal Control: \$100.00. Said sum to be utilized in order to pay for the minimal purchases and expenses incurred by the aforesaid Department James Bowen shall be the custodian.
2. The Custodians of the Petty Cash Funds shall prepare and file with the Chief Financial Officer monthly reports detailing the expenditures made from the Funds. Said reports shall be accompanied by receipts for all expenditures made from the Petty Cash Funds.
  3. All Petty Cash Funds shall be returned to the Chief Financial Officer on or before December 31, 2016.
  4. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
    - a. Director of Finance/CFO
    - b. Township Attorney
    - c. Jared Tate
    - d. Captain James Harris
    - e. Walter Wells
    - f. Adam Silversmith
    - g. Joseph Kinlin
    - h. JoAnn Benson
    - i. Gail Catania
    - j. Robert DiBiase
    - k. Craig Ambrosio
    - l. James Bowen
    - m. State of New Jersey  
Division of Local Government Services  
P.O. Box 803  
Trenton, NJ 08625-0803

Approved as to Content

The foregoing Resolution was adopted on the following roll call vote:

Council Member Carr	Yes
Council Member Hill	Yes
Council Member Kubiak	Yes
Council Member Manforti	Absent
Council Member Maruca	Yes
Council Member Wittmann	Yes

A motion was made by Council Member Carr, seconded by Council Member Wittmann and carried, to adopt the following Resolution.

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY AUTHORIZING THE TAX COLLECTOR TO CANCEL ANY PROPERTY TAX REFUND OR DELINQUENCY OF LESS THAN \$10.00**

**January 4, 2016**

WHEREAS, New Jersey Statute 40A:5-17.1 permits the governing body of a municipality to adopt a resolution authorizing a municipal employee to process, without further action on the part of the governing body, the cancellation of any property tax refund or delinquency of less than \$10.00; and

WHEREAS, the Tax Collector currently has minimal amounts affecting prior years, and will have minimal amounts affecting current and future years and is desirous of canceling these amounts expeditiously;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Toms River, in the County of Ocean, and State of New Jersey, as follows:

1) The Township Council hereby authorizes the Tax Collector to process, without further action on the part of the governing body, the cancellation of any property tax delinquency or refund of less than \$10.00.

2) A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a) Business Administrator
- b) Chief Financial Officer
- c) Tax Assessor
- d) Tax Collector
- e) Township Attorney

The foregoing Resolution was adopted on the following roll call vote:

Council Member Carr	Yes
Council Member Hill	Yes
Council Member Kubiak	Yes
Council Member Manforti	Absent
Council Member Maruca	Yes
Council Member Wittmann	Yes

A motion was made by Council Member Carr, seconded by Council Member Wittmann and carried, to adopt the following Resolution.

## **RESOLUTION APPOINTING MEMBERS OF THE PARKING AUTHORITY**

**January 4, 2016**

BE IT RESOLVED, by the Township Council of the Township of Toms River, in the County of Ocean and State of New Jersey, as follows:

1. The following persons be and they are hereby appointed as Regular Members of the Toms River Parking Authority:

Richard Banach                      1/1/2016 to 12/31/2020  
983 Green Hill Blvd  
Toms River, NJ 08753

Brenda Tutela                        1/1/2016 to 12/31/2020  
205 Hamilton Drive  
Toms River, NJ 08753-4629

2. The Office of the Township Clerk shall send a certified copy of this resolution to each of the following, and appointee shall present himself before the Township Clerk to take and subscribe to the Oath of Office.
  - a. Office of the Township Council
  - b. Office of the Mayor
  - c. Law Department
  - d. Parking Authority
  - e. Appointees

The foregoing Resolution was adopted on the following roll call vote:

Council Member Carr	Yes
Council Member Hill	Yes
Council Member Kubiell	Yes
Council Member Manforti	Absent
Council Member Maruca	Yes
Council Member Wittmann	Yes

A motion was made by Council Member Maruca, seconded by Council Member Hill and carried, to adopt the following Resolution.

## RESOLUTION

**January 4, 2016**

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN, AND STATE OF NEW JERSEY, as follows:

1. **Carmen Memoli** is hereby appointed a Member of the Toms River Municipal Utilities Authority for a term of five (5) years, expiring January 31, 2021.
  
2. Township Clerk shall send a certified copy hereof to each of the following:
  - a. Appointee listed above who shall present himself before the Township Clerk to take and subscribe to the Oath of Office
  - b. Municipal Utilities Authority
  - c. Township Attorney
  - d. Township Council
  - e. Secretary of State, State of New Jersey  
PO Box 308  
Trenton, NJ 08625
  - f. New Jersey Dept of Treasury  
Div. of Commercial Recording  
along with a Toms River Township voucher to cover the filing fees  
820 Bear Tavern Road  
West Trenton, NJ 08625

The foregoing Resolution was adopted on the following roll call vote:

Council Member Carr	Yes
Council Member Hill	Yes
Council Member Kubiell	Yes
Council Member Manforti	Absent
Council Member Maruca	Yes
Council Member Wittmann	Yes

A motion was made by Council Member Carr, seconded by Council Member Hill and carried, to adopt the following Resolution.

**RESOLUTION APPROVING PAYMENT OF EXPENDITURES ON DECEMBER 22, 2015**

**JANUARY 4, 2016**

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

The following expenditures paid on December 22 & 30, 2015 be and the same are hereby approved:

Township of Toms River Payroll 12-24-15	\$1,828,153.75
Township of Toms River Dog	102,594.52
Township of Toms River BLO	.31
Township of Toms River Current	75.46
Township of Toms River Current	144.49
Township of Toms River Unemployment	50,000.00
Peter V. Pirozzi General	61,714.64
	-----
Total	\$2,042,683.75

The Township Clerk shall send a certified copy hereof to each of the following:

- a. Chief Financial Officer

Approved as to Content

The foregoing Resolution was adopted on the following roll call vote:

Council Member Carr	Yes
Council Member Hill	Yes
Council Member Kubieli	Yes
Council Member Manforti	Absent
Council Member Maruca	Yes
Council Member Wittmann	Yes

A motion was made by Council Member Wittmann, seconded by Council Member Carr and carried, to adopt the following Resolution.

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING THE CASH MANAGEMENT PLAN OF THE TOWNSHIP OF TOMS RIVER, EFFECTIVE RETROACTIVE TO JANUARY 1, 2016 THROUGH DECEMBER 31, 2016**

**JANUARY 4, 2016**

WHEREAS, the Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A:5-14, in order to set forth the basis for the deposits and permitted investments of certain public funds of the Township of Toms River ("Township"), pending the use of such funds for the intended purposes; and

WHEREAS, the Plan is intended to assure that all public funds identified in the Plan are deposited in interest bearing deposits or otherwise invested in permitted investments; and

WHEREAS, the intent of the Plan is to provide that the decisions made with regard to the deposits and the permitted investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits; and

WHEREAS, the Plan is intended to insure that any deposit or permitted investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such deposits or permitted investments; and

WHEREAS, it is necessary to amend the Cash Management Plan of the Township of Toms River in order to comply with the provisions of N.J.S.A. 40A:5-14;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Toms River, in the County of Ocean, and State of New Jersey, as follows:

1. It hereby authorizes the amended Cash Management Plan of the Township of Toms River, Ocean County, New Jersey, which is attached to this resolution as Schedule "A", effective retroactive to January 1, 2016 through December 31, 2016, in order for the Township to be in compliance pursuant to the provisions of N.J.S.A. 40A:5-14.

2. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a) Mayor Thomas Kelaher
- b) Township Council
- c) Business Administrator
- d) Chief Financial Officer
- e) Township Attorney
- f) Municipal Auditor
- g) All Official Depositories as designated in the Township's Cash Management Plan

**"SCHEDULE A"**

# 2016

## CASH MANAGEMENT PLAN OF THE TOWNSHIP OF TOMS RIVER IN THE COUNTY OF OCEAN NEW JERSEY

### I. STATEMENT OF PURPOSE.

This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set forth the basis for the deposits ("Deposits") and investment ("Permitted Investments") of certain public funds of the Township of Toms River, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

### II. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN.

A. The Plan is intended to cover the deposit and/or investment of the following funds and various accounts at authorized depositories of the Township of Toms River:

Current Disbursement Fund, Payroll, Bey Lea Utility, Ice Rink Utility General Capital,

Bey Lea Capital, Ice Rink Capital, Open Space Fund, Community Development, Dog,

Other Trust Funds, Self Insurance Fund, Certificates of Deposit, Escrow and DTC

### III. DESIGNATION OF OFFICIALS OF THE TOWNSHIP OF TOMS RIVER AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS UNDER THE PLAN.

The Chief Financial Officer of the Township of Toms River, the Deputy Chief Financial Officer and the Assistant Deputy Chief Financial Officer, (the "Designated Official") is hereby authorized and directed to deposit and/or invest the funds referred to in the Plan. Prior to making any such Deposits or any Permitted Investments, such officials of the Township of Toms River are directed to supply to all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgment kept on file with such officials.

### IV. DESIGNATION OF DEPOSITORIES.

The following banks and financial institutions are hereby designated by annual resolution of the Municipal Council as official depositories for the Deposit of all public funds referred to in the Plan, including any Certificates of Deposit which are not otherwise invested in Permitted Investments as provided for in this Plan:

Bankers Trust Co, (wire agent for NJ Cash Management) Garden State Community Bank Interchange Bank  
J.P. Morgan Chase MBIA-Class Management Unit Trust New Jersey/ARM Program New Jersey Cash Management Fund  
New Jersey Management Unit Trust North Fork; Ocean First Bank; PNC Bank; TD Bank; Chase Bank; Wells Fargo Bank;  
Sovereign Bank of NJ and any other bank recognized by the state of NJ as an authorized depository under the  
"Governmental Unit Depository Protection Act".

All such depositories shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Official(s) referred to in Section III above.

### V. DESIGNATION OF BROKERAGE FIRMS AND DEALERS WITH WHOM THE DESIGNATED OFFICIALS MAY DEAL.

The following brokerage firms and/or dealers and institutions are hereby designated as firms with whom the Designated Official(s) of the Township of Toms River may deal for purposes of buying and

selling securities identified in this Plan as Permitted Investments or otherwise providing for Deposits. All such brokerage firms and/or dealers shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Official(s) referred to in Section III above.

Bank of America Merrill Lynch; Commerce Capital Markets; Hutchinson, Shockey, Erley Co; Janney Montgomery Scott, LLC; Jefferies & Company, Inc.; Oppenheimer & Co., Inc; Ocean First Bank; PNC Capital Markets; Robert W. Baird & Co. Inc.; Sovereign Securities Corp, LLC; TD Securities; UBS Financial Services.

## VI. AUTHORIZED INVESTMENTS.

A. Except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following permitted Investments:

- (1) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
- (2) Government money market mutual funds;
- (3) Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days, from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
- (4) Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located;
- (5) Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units;
- (6) Local government investment pools;
- (7) Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c.281 (C.52:18A-90.4): or
- (8) Agreements for the repurchase of fully collateralized securities if:
  - (a) the underlying securities are permitted investments pursuant to paragraphs (1) and (3) of this subsection a;
  - (b) the custody of collateral is transferred to a third party;
  - (c) the maturity of the agreement is not more than 30 days;
  - (d) the underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c. 236 (C.17:9-4 1); and
  - (e) a master repurchase agreement providing for the custody and security of collateral is executed.

For purposes of the above language, the terms "government money market mutual fund" and "local government investment pool" shall have the following definitions:

**Government Money Market Mutual Fund.** An investment company or investment trust

- (a) which is registered with the Securities and Exchange Commission under the "Investment Company" Act of 1940," 15 U.S.C. sec. 80a-t et seq., and operated in accordance with 17 C.F.R. sec. 270.2a-7.
- (b) the portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and
- (c) which has:
  - (i) attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or
  - (ii) retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the "Investment Advisors Act of 1940," 15 U.S.C. sec. 80b-1 et seq., with experience investing in U.S. Government securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.

**Local Government Investment Pool.** An investment pool:

- (a) which is managed in accordance with 17 C.F.R. sec. 270.2a-7;
- (b) which is rated in the highest category by a nationally recognized statistical rating organization;
- (c) which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities;
- (d) which is in compliance with rules adopted pursuant to the "Administrative Procedure Act." P.L. 1968, c.410 (c.52:148-1 et seq.) by the Local Finance Board of the Division of Local Government Services In the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the Investments;
- (e) which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market

value that approximates their par value; or utilize an index that does not support a stable net asset value; and

(f) which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption has been registered continuously for a period of at least two years pursuant to section 9 of P. L. 1967 c.9 (C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities.

#### VII. SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT OF RECEIPT OF PLAN.

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Township of Toms River then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a bank or financial institution in the State of New Jersey such institution shall provide for the designation of such investments in the name of the Township to assure that there is no unauthorized use of the funds or the Permitted Investments or Deposits.

Purchase of any Permitted Investments that involve securities shall be executed by a "delivery versus payment" method to insure that such Permitted Investments are either received by the Township or by a third party custodian prior to or upon the release of the Township's funds.

To assure that all parties with whom the Township of Toms River deals either by day of Deposits or Permitted Investments are aware of the authority and the limits set forth in this Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official(s).

The township is the recognized Escrow Agent to hold and invest development fees collected which will provide affordable housing in accordance with Rules of the N.J. Council on Affordable Housing (COAH) via the New Jersey Administrative Code (5:93-8 et seq). Escrow funds are held in the Trust Account and if the township is deemed to have violated the escrow agreement the State COAH Agency may notify the township and the financial institution (depository) ceasing all transactions which pertain to the escrow account until there is resolution and release by the COAH Agency in accordance with the rules and conditions of the Escrow Agreement for Developer Fees said agreement shall apply to this management plan.

#### VIII. REPORTING REQUIREMENTS.

Upon Council's request, the Designated Official(s) referred to in Section III shall supply to the governing body of the Township of Toms River a written report of any Deposits or Permitted Investments made which shall include, at a minimum, the following information:

- A. The name of any institution holding funds of the as a Deposit or a Permitted Investment.
- B. B. The amount of securities or Deposits purchased or sold during the immediately preceding month.
- C. C. The class or type of securities purchased or Deposits made.
- D. D. The book value of such Deposits or Permitted Investments.
- E. E. The estimated income to be earned on such Deposits or Permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.
- F. F. The fees incurred, if any, to undertake such Deposits or Permitted Investments.
- G. G. The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.
- H. H. All other information which may be deemed reasonable by the Chief Finance Officer from time to time which he believes of interest to the governing body of the Township of Toms River.

I.

#### J. IX. CREDIT CARDS/DEBIT CARDS AND ELECTRONIC PAYMENTS.

K. A. N.J.S.A 40A:5-43 et seq and N.J.S.A. 2B:1-5 respectively provide for Municipal Courts and municipal agencies to be authorized to establish a system to accept electronic payments such as court imposed obligations, or other valid municipal charges.

L. B. All systems established for receipt of electronic payments are subject to the rules established by

the Director of the Division of Local Government Services and the Rules of Court which are further delineated by Rule 7:14-4(c) which authorizes municipal courts to accept electronic payments and Rules N.J.A.C. 5:30-9.1 et seq which are established by the Division of Local Government Services providing guidelines for local governments' use of and receipt of electronic payments.

M. C. Definitions applied when utilizing electronic devices are in accordance with the definitions found in N.J.A.C. 5:30-9.2.

N. D. Prior to any municipal agency utilizing a method of electronic payments, the Chief Finance Officer must have evaluated the process to insure compliance with the rules and regulations and approved the accounting procedures to be utilized.

O.

P. X. TERM OF PLAN.

Q. This Plan shall be in effect from January 1, 2016 to December 31, 2016. Attached to this Plan will be a resolution of the governing body of the Township of Toms River approving this Plan for such period of time. The Plan may be amended from time to time. To the extent that any amendment is adopted by the Council, the Designated Official(s) is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

The foregoing Resolution was adopted on the following roll call vote:

Council Member Carr	Yes
Council Member Hill	Yes
Council Member Kubiell	Yes
Council Member Manforti	Absent
Council Member Maruca	Yes
Council Member Wittmann	Yes

**CONSENT AGENDA**

Council President Kubiell announced the consideration of the Consent Agenda and noted if anyone had a desire to discuss an individual item it would be removed from the Consent Agenda. There was no response.

A motion was made by Council Member Carr, seconded by Council Member Maruca, and carried with Council Members Hill, Kubiell, Maruca, Sevastakis, and Council Member Wittmann, and with Council Member Manforti absent, voting yes, to approve all the following items listed on the Consent Agenda.

**RESOLUTION AUTHORIZING THE SALE OF ABANDONED AND/OR UNCLAIMED MOTOR VEHICLES PURSUANT TO N. J. S. A. 39:10A-1 ET SEQ.**

**January 4, 2016**

**BE IT RESOLVED** by the Township Council of the Township of Toms River, in the County of Ocean, and State of New Jersey, as follows:

1. It hereby authorizes the sale at public auction of the following abandoned and/or unclaimed motor vehicles pursuant to the provisions of N. J. S. A. 39:10A-1 et seq., on Wednesday, January 20, 2016 at 10:00 A.M. at Accurate Automotive, 14 James Street, Toms River, at 11:00 A.M. at Priced Rite Towing, 24 Germania Station Road, Toms River, and at 12:00 Noon at Freedom Towing, 1725 Lakewood Road, Unit 1, Toms River.

**Vehicles For Auction with Titles:**

**ACCURATE AUTOMOTIVE**

14 James Street  
Toms River, NJ 08753  
January 20, 2016 at 10:00 A.M.

<b>YEAR</b>	<b>MAKE</b>	<b>VIN #</b>
2003	Dodge	VIN#1D4HR38N53F555329
2000	Saturn	VIN#1G8ZH5285YZ252098

**PRICED-RITE TOWING**

24 Germania Station Road  
Toms River, NJ 08755  
January 20, 2016 at 11:00 A.M.

<b>YEAR</b>	<b>MAKE</b>	<b>VIN #</b>
1998	Jeep	VIN#1J4FJ68S3WL260877
2003	Chrysler	VIN#3C4FY58B13T630655

**FREEDOM TOWING**

1725 Lakewood Road, Unit 1  
Toms River, NJ 08753  
January 20, 2016 at 12:00 PM Noon

<b>YEAR</b>	<b>MAKE</b>	<b>VIN #</b>
2005	Pontiac	VIN#1G2NE52F35M147049
2006	Honda	VIN#2HGFA16566H510911
2009	Infiniti	VIN#JNKCV64F39M651773

2. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a) Attorney
- b) Chief of Police Mitch Little
- c) Chief Financial Officer
- d) Priced-Rite Towing

- 24 Germania Station Road  
Toms River, NJ 08755
- e) Accurate Automotive  
14 James Street  
Toms River, NJ 08753
- f) Freedom Towing  
1725 Lakewood Road, Unit 1  
Toms River, NJ 08753

**LEGAL NOTICE  
TOWNSHIP OF TOMS RIVER  
PUBLIC SALE**

**TAKE NOTICE** that the undersigned shall expose for sale in accordance with R.S. 39:10A-1, at public auction on **WEDNESDAY, January 20, 2016 at 10:00 A.M. at Accurate Automotive, 14 James Street, Toms River, at 11:00 A.M. at Priced-Rite Towing, 24 Germania Station Road, Toms River, and at 12:00 Noon at Freedom Towing, 1725 Lakewood Road, Unit 1, Toms River,** the below described motor vehicle(s) which came into the possession of the Township of Toms River Police Department through abandonment or failure to claim same within 30 days. The public auction will take place at the above indicated date, time and location(s). The motor vehicle(s) may be examined at the indicated location(s) Monday through Friday, 9:00 a.m. to 5:00 p.m.

All vehicle(s) listed have clear title. Failure to inspect said vehicle(s) will not be considered as cause for any claim for adjustment whatsoever. **ALL SALES WILL BE FINAL.** Cash or check will be required at the time of the sale when the sale is completed. Vehicle(s) must be removed from the premises at the purchaser's expense within 48 hours of sale date. Opening bids start at tow expense.

**Vehicles For Auction with Titles:**

**ACCURATE AUTOMOTIVE**

14 James Street  
Toms River, NJ 08753  
January 20, 2016 at 10:00 A.M.

<b>YEAR</b>	<b>MAKE</b>	<b>VIN #</b>
2003	Dodge	VIN#1D4HR38N53F555329
2000	Saturn	VIN#1G8ZH5285YZ252098

**PRICED-RITE TOWING**

24 Germania Station Road  
Toms River, NJ 08755  
January 20, 2016 at 11:00 A.M.

<b>YEAR</b>	<b>MAKE</b>	<b>VIN #</b>
1998	Jeep	VIN#1J4FJ68S3WL260877
2003	Chrysler	VIN#3C4FY58B13T630655

**FREEDOM TOWING**

1725 Lakewood Road, Unit 1  
Toms River, NJ 08753  
January 20, 2016 at 12:00 PM Noon

<b>YEAR</b>	<b>MAKE</b>	<b>VIN #</b>
2005	Pontiac	VIN#1G2NE52F35M147049
2006	Honda	VIN#2HGFA16566H510911
2009	Infiniti	VIN#JNKCV64F39M651773

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY,  
NEW JERSEY, REJECTING THE BIDS RECEIVED FOR RECYCLING AND DISPOSAL OF CONCRETE,  
ASPHALT AND TREE STUMPS RECEIVED AT THE MUNICIPAL RECYCLING CENTER, AND  
AUTHORIZING REBID OF THIS SERVICE**

**JANUARY 4, 2016**

WHEREAS, bids were invited on December 22, 2015 for Recycling and Disposal of Concrete, Asphalt and Tree Stumps received at the Municipal Recycling Center; and

WHEREAS, bids were received, as follows:

	Mazza Mulch, Inc. 3230A Shafto Road Tinton Falls, NJ 07753	Mazza and Sons, Inc. 3230 Shafto Road Tinton Falls, NJ 07753
Unit Price Per Ton for Asphalt	-	-
Unit Price Per Ton for Concrete	-	\$9.00
Unit Price Per Ton for Tree Stumps	\$37.50	-

WHEREAS, the bids have been reviewed by the Purchasing Division and the Department of Public Works, and recommendation has been made, in the best interest of the Township, to reject the bids received, pursuant to N.J.S.A. 40A:11-13.2(a), as the bids received substantially exceed the cost estimate, and rebid this service;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Toms River, in the County of Ocean, and State of New Jersey, as follows:

1. It is in the best interest of the Township to reject the above-mentioned bids received, pursuant to N.J.S.A. 40A:11-13.2(a), as the bids substantially exceed the cost estimate.
2. The appropriate Township Officials are hereby authorized to advertise for rebid of this service.
3. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
  - a) Purchasing Division
  - b) Chief Financial Officer
  - c) Township Attorney
  - d) Aforementioned bidders

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN  
COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASING DIVISION TO ADVERTISE FOR  
AND RECEIVE BIDS FOR VARIOUS GOODS AND SERVICES FOR THE  
2016 CALENDAR YEAR**

**JANUARY 4, 2016**

WHEREAS, the Township of Toms River is desirous of receiving bid(s) for the following items/projects:

**VARIOUS GOODS AND SERVICES FOR THE 2016 CALENDAR YEAR:**

- o Barber Surf Rake Repair Parts
- o Brooms for Street Sweeping
- o Compost Consultant and Marketing
- o Copy Paper, Parchment Paper, and Certificate/Proclamation Holders
- o EMS Billing
- o Fencing, Installation, Repair, and Maintenance
- o First Aid Supplies

- General Construction and Repair
- Golf Supplies
- Grass Seed, Fertilizer, Herbicides, Insecticides, Infield Mix, Top Dressing, Bunker Sand and Disposable Insecticide Spray Suits
- Heil Rapid Rail Repair Parts
- Janitorial Supplies
- Labrie Repair Parts
- Laundered Mechanics' Uniforms
- Leach Packer Repair Parts
- Loadmaster Repair Parts
- Locksmith Services
- Lumber & Nails
- Manufacture, Printing, and Mailing Services for Tax Bills
- Microfilm Services
- Motor Oil & Lubricants
- Pest Control Services
- Peterbilt Repair Parts
- Polyliners
- Pool Chemicals
- Printed Flat Forms, Letterhead, and Envelopes
- Retreading and Repairing Pneumatic Tires
- Roofing/Roof Consultation Services
- Service and Repairs to Emergency Vehicles for OEM
- Traffic Sign Materials
- Uniform & Specialty Items for School Crossing Guards, Bicycle Police, Auxiliary Police Dispatchers, Booking Officers, Motorcycle Police, Communication Officers, Community Service Officer (CSO's) and Animal Control Officers
- Vehicle Collision Repair (TRIACPS) T.R. Inter-Agency Co-op Pricing System with TRMUA
- Welding Supplies
- Work Shoes and Work Boots
- Work, Sport, and Lifeguard Clothing

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Toms River, in the County of Ocean, and State of New Jersey, as follows:

1. The Purchasing Division is hereby authorized to prepare bid specifications for the above-mentioned items/projects.
2. The Purchasing Division of the Township of Toms River is hereby authorized to advertise for the receipt of bids for the above-mentioned items/projects.
3. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
  - a) Purchasing Division
  - b) Chief Financial Officer
  - c) Township Attorney

**RESOLUTION AUTHORIZING RAFFLE EVENT SCHEDULED FOR SUNDAY  
MASTER DEI PREP BOOSTER CLUB**

**JANUARY 4, 2016**

WHEREAS, the Township of Toms River has adopted an Ordinance Amending and Supplementing Chapter 321 (Games of Chance) of the "Code of the Township of Toms River, New Jersey"; and

WHEREAS, the ordinance provides for permitting the conducting of Games of Chance on Sunday provided that same is authorized by the Governing body, pursuant to N.J.A.C. 13:47-8.8; and

WHEREAS, Master Dei Prep Booster Club has applied to hold their on premise 50/50 raffle event January 31, 2016 (Sunday), and to conducted their on premise raffle event, due to prior scheduling, has been on the calendar of events for the year 2016; and

WHEREAS, the Master Dei Prep Booster Club on premise 50/50 raffle event cannot be rescheduled due to conflicts;

NOW, THEREFORE, BE IT RESOLVED by the Township Council Township of Toms River, in the County of Ocean, and State of New Jersey, as follows:

1. It hereby approves of Master Dei Prep Booster Club On Premise 50/50 raffle scheduled for January 31, 2016.
2. A Certified copy of this resolution shall be provides by the Office of the Township Clerk to each of the following:

- a) Mayor
- b) Attorney
- c) Township Clerk
- d) Business Administrator
- e) Township Council
- f) Michael Mastronardy, Chief of Police  
Master Dei Prep Booster Club  
588 Church Rd  
New Monmouth, NJ 07748

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE GUARANTEES FOR A MAJOR SITE PLAN KNOWN AS BLOCK 796, LOTS 9-14, 29, 33 AND 34 (2016 ROUTE 37 WEST)**

**January 4, 2016**

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan, known as Block 796, Lots 9014, 29, 33 and 34.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Surety Bond #B1165282 in the amount of \$77,850.00 which represents the ninety percent portion of the performance guarantee amount.
- 2) Check in the amount of \$8,650.00 which represents the ten percent portion of the performance guarantee amount.
- 3) Check in the amount of \$1,801.74 which represents the required initial escrow amount for inspection fees.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

- 1) The bonds set forth in the preamble hereto are hereby approved.
- 2) Said bond approval is conditioned upon compliance by 2016 Route 37 West, LLC, its successors and assignees, with all terms set forth in the preamble hereof and all requirements of the Land Use Ordinance of the Township of Toms River.
- 3) Township Clerk shall send a certified copy hereof to each of the following:

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. DJ D'Onofrio  
952 Lakewood Road  
Toms River, NJ 08753

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RELEASING PERFORMANCE GUARANTEES AND ACCEPTING MAINTENANCE GUARANTEES FOR A MAJOR SITE PLAN, HOMES FOR ALL (PHASE III) KNOWN AS BLOCK 172, LOT 11.04 (HARVEST WAY)**

January 4, 2016

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Block 172, Lot 11.04.

WHEREAS, Maintenance Bonds have been posted as follows:

- 1) A check in the amount of \$16,967.50 is to represent the 10% Cash Maintenance Guarantee.

WHEREAS, the Township Engineer has made an inspection of said Major Site Plan and finds that all improvements have been satisfactorily completed; and

WHEREAS, the Township Engineer has recommended the release of the Performance Guarantees and the acceptance of the Maintenance Guarantees;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

- 1) Previously posted Letter of Credit in the amount of \$152,707.50 currently on account X-19- - 101-490, is hereby released;
- 2) Previously posted cash bond in the amount of \$16,967.50 currently on account 5-14- - 902-101, is hereby released;
- 3) Maintenance Bond listed in the preamble hereof is hereby accepted;

Township Clerk shall send a certified copy hereof to each of the following:

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Homes For All  
7 Hyers Street  
Toms River, NJ 08753

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE GUARANTEES FOR A MAJOR SITE PLAN KNOWN AS BLOCK 405.08, LOT 62 & 73 (Lakewood Road)**

January 4, 2016

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan, known as Alcoeur Homes at Toms River, LLC, Block 405.08, Lots 62 & 63.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Surety Bond # RU100319 in the amount of \$25,650.00 which represents the ninety percent portion of the performance guarantee amount.
- 2) Check in the amount of \$2,850.00 which represents the ten percent portion of the performance guarantee amount.

3) Check in the amount of \$712.50 which represents the required initial escrow amount for inspection fees.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

- 1) The bonds set forth in the preamble hereto are hereby approved.
- 2) Said bond approval is conditioned upon compliance by Alcoeur Homes at Toms River, LLC, its successors and assignees, with all terms set forth in the preamble hereof and all requirements of the Land Use Ordinance of the Township of Toms River.
- 3) Township Clerk shall send a certified copy hereof to each of the following:
  - a. Township Engineer
  - b. Chief Financial Officer
  - c. Township Attorney
  - d. Alcoeur Homes at Toms River, LLC  
315 Mount Laurel Road  
Mount Laurel, NJ 08054

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE GUARANTEES FOR A MAJOR SITE PLAN KNOWN AS BLOCK 170, LOT 7 (1876 Lakewood Road)**

January 4, 2016

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan, known as Block 170, Lot 7.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Surety Bond # CM100186 in the amount of \$158,670.00 which represents the ninety percent portion of the performance guarantee amount.
- 2) Check in the amount of \$17,630.00 which represents the ten percent portion of the performance guarantee amount.
- 3) Check in the amount of \$3,673.51 which represents the required initial escrow amount for inspection fees.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

- 1) The bonds set forth in the preamble hereto are hereby approved.
- 2) Said bond approval is conditioned upon compliance by 1876 Lakewood Road, LLC, its successors and assignees, with all terms set forth in the preamble hereof and all requirements of the Land Use Ordinance of the Township of Toms River.
- 3) Township Clerk shall send a certified copy hereof to each of the following:
  - a. Township Engineer
  - b. Chief Financial Officer
  - c. Township Attorney
  - d. 1876 Lakewood Road, LLC  
41 Arosa Hill  
Lakewood, NJ 08701

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE GUARANTEES FOR A MAJOR SITE PLAN KNOWN AS BLOCK 405.08, LOT 62 & 73 (Lakewood Road)**

January 4, 2016

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan, known as Alcoeur Homes at Toms River, LLC, Block 405.08, Lots 62 & 63.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Surety Bond # RU100319 in the amount of \$25,650.00 which represents the ninety percent portion of the performance guarantee amount.
- 2) Check in the amount of \$2,850.00 which represents the ten percent portion of the performance guarantee amount.
- 3) Check in the amount of \$712.50 which represents the required initial escrow amount for inspection fees.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

- 1) The bonds set forth in the preamble hereto are hereby approved.
- 2) Said bond approval is conditioned upon compliance by Alcoeur Homes at Toms River, LLC, its successors and assignees, with all terms set forth in the preamble hereof and all requirements of the Land Use Ordinance of the Township of Toms River.
- 3) Township Clerk shall send a certified copy hereof to each of the following:
  - a. Township Engineer
  - b. Chief Financial Officer
  - c. Township Attorney
  - d. Alcoeur Homes at Toms River, LLC  
315 Mount Laurel Road  
Mount Laurel, NJ 08054

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE GUARANTEES FOR A MINOR SITE PLAN KNOWN AS CANDLELIGHT CONDOMINIUMS, BLOCK 991, LOT 1 (Grand Central Avenue)**

January 4, 2016

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Site Plan, known as Candlelight Condominiums, Block 991, Lot 1.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Cash Bond # RU100319 in the amount of \$2,600.00 which represents the full portion of the performance guarantee amount.
- 2) Check in the amount of \$250.00 which represents the required initial escrow amount for inspection fees.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

- 1) The bonds set forth in the preamble hereto are hereby approved.

2) Said bond approval is conditioned upon compliance by M.A. Urgola Enterprises, Inc., its successors and assignees, with all terms set forth in the preamble hereof and all requirements of the Land Use Ordinance of the Township of Toms River.

3) Township Clerk shall send a certified copy hereof to each of the following:

- e. Township Engineer
- f. Chief Financial Officer
- g. Township Attorney
- h. M.A. Urgola Enterprises  
503 Valley Brooke Avenue  
Lyndhurst, NJ 07071

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE MAYOR TO EXECUTE AND THE TOWNSHIP CLERK TO ATTEST TO ANY AND ALL DOCUMENTS ASSOCIATED WITH THE DISCHARGE OF ACKNOWLEDGMENT AND RELEASE FORMS**

**JANUARY 4, 2016**

**WHEREAS**, in accordance with the requirements of the National Flood Insurance Program and federal mandates, property owners who sustained substantial damage from Hurricane Sandy were required, as a condition for receiving permits necessary to restore and re-occupy their homes, to execute an Acknowledgment and Release form, assuming the obligation to elevate their structures within four years; and

**WHEREAS**, these forms are recorded in the county book of deeds and appear in the chain of title for the subject properties; and

**WHEREAS**, certain property owners may be entitled to have this form discharged, either because they are no longer required, or have complied with the mandate, to elevate their homes:

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Toms River, Ocean County, New Jersey, as follows:

1. The Mayor is hereby authorized to execute, and the Township Clerk to attest to any and all documents associated with the appropriate discharge of the Acknowledgment and Release forms.

2. Discharge of the Acknowledgment and Release form is contingent upon the determination of the Township Engineer or the Building Department that the restored structure complies with the elevation requirements of the particular flood zone.

3. A certified copy of this resolution shall remain on file in the Office of the Township Clerk and provided to the following parties:

- a. Mayor Thomas Kelaher
- b. Business Administrator
- c. Township Attorney
- d. Township Engineer
- e. Building Department

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AWARDED CERTAIN CONTRACTS FOR SERVICES EXEMPT FROM THE BIDDING PROCESS COMMENCING JANUARY 4, 2016 UP TO AND INCLUDING DECEMBER 31, 2016**

**JANUARY 4, 2016**

**WHEREAS**, the Township Council of the Township of Toms River is desirous of awarding contracts for certain services that are exempt from the bidding process commencing January 4, 2016 up to and including December 31, 2016; and

## **PART I**

**WHEREAS**, the Township of Toms River has a need to acquire certified forester services commencing January 4, 2016 up to and including December 31, 2016; and

**WHEREAS**, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process, pursuant to the provisions of *N.J.S.A. 19:44A-20.4 et. seq.*; and

**WHEREAS**, the following firm submitted a conforming proposal, which was publicly opened and read on December 3, 2015:

1. Michael LaMana, M.S., C.T.E., R.C.A., of Heartwood Ecological Services, LLC, 700 Hooper Avenue, Toms River, New Jersey 08753; and

**WHEREAS**, Michael LaMana, M.S., C.T.E., R.C.A., of Heartwood Ecological Services, L.L.C. has represented the Township of Toms River in other forestry matters and found to be responsive and professional:

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Toms River, in the County of Ocean, State of New Jersey, that the Mayor is hereby authorized to execute and the Municipal Clerk is authorized to attest to an agreement with with Michael LaMana, M.S., C.T.E., R.C.A., of Heartwood Ecological Services, L.L.C., as Township Forrester commencing January 4, 2016 up to and including December 31, 2016, at the rate of \$85.00 per hour, contingent upon the execution of a contract, the availability of funds and the adoption of the CY16 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

**BE IT FURTHER RESOLVED** that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

## **PART II**

**WHEREAS**, there exists a need for Municipal Public Defender services from January 4, 2016 up to and including December 31, 2016; and

**WHEREAS**, the total maximum amount of the contract to be awarded under this resolution is not to exceed the total maximum amount of \$47,000.00 for CY16, and not to exceed a total maximum amount of \$3,916.66.00 on a monthly basis; and

**WHEREAS**, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process, pursuant to the provisions of *N.J.S.A. 19:44A-20.4 et. seq.*; and

**WHEREAS**, the following firms submitted conforming proposals which were publicly opened and read on December 2, 2015:

1. Terry F. Brady, Esq., of the firm of Brady, & Kunz, P.C., 680 Hooper Avenue, Building C, 2<sup>nd</sup> Floor, P.O. Box 4990, Toms River, New Jersey 08754
2. Charles P. Tivenan, Esq., 426 Herbertsville Road, Brick, New Jersey 08724
3. Heagen, Pagano and Associates, PC, 325 West Water Street, Toms River, New Jersey 08753; and

**WHEREAS**, Terry F. Brady, Esq. of the firm of Brady & Kunz, P.C., has represented the Township of Toms River since 1987 as Municipal Public Defender and is fully experienced to perform the duties required; and

**WHEREAS**, Terry Brady, Esq. of the firm of Brady & Kunz, P.C. has acted as a Public Defender for Point Pleasant Beach, Stafford Township and Beachwood Township and is experienced in this endeavor:

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Council authorizes the Mayor to enter into and the Township Clerk to attest to a contract with Terry F. Brady, Esq. of the firm of Brady & Kunz, P.C., as the Township Public Defender from January 4, 2016 up to and including December 31,

2016, for a total maximum amount not to exceed a total maximum of \$47,000.00 for CY16, and not to exceed a total maximum amount of \$3,916.66 on a monthly basis, contingent upon the execution of a contract, availability of funds and the adoption of the CY16 budget. The certification of fund available statement with respect to this resolution is on file in the Office of the Township Clerk.

**BE IT FURTHER RESOLVED** that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

### **PART III**

**WHEREAS**, the Township of Toms River has a need to acquire real estate appraisal services from January 4, 2016 up to and including December 31, 2016; and

**WHEREAS**, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process pursuant to the provisions of *N.J.S.A. 19:44A-20.4 et. seq.*; and

**WHEREAS**, the following firm submitted a conforming proposal which was publicly opened and read on December 3, 2015:

1. Henry J. Mancini and Associates, 691 Mill Creek Road, Unit 11, Manahawkin New Jersey 08050
2. Federal Appraisal and Consulting, 460 US Hwy 22 West, Suite 403, Whitehouse Station, New Jersey 08889
3. Renwick and Associates 1000 S. Lenola Road, Building 2, Suite 101, Maple Shade, New Jersey 08052

**WHEREAS**, Henry J. Mancini and Associates has provided appraisal services for public entities throughout Ocean County, including the Township of Toms River in a competent and professional manner; and

**WHEREAS**, Henry J. Mancini and Associate provided an exception reducing the overall aggregate rates and final fee for this service:

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Toms River, in the County of Ocean, State of New Jersey, that the Mayor is hereby authorized to execute and the Municipal Clerk is authorized to attest to an agreement with Henry J. Mancini and Associates for appraisal services from January 4, 2016 up to and including December 31, 2016 at the rates set forth:

MAI Designated Appraiser:	\$160.00/hour
State Certified General Appraiser Staff:	\$115.00/hour
Field Personnel/Research Assistants:	\$ 95.00/hour
Clerical:	\$ 55.00/hour
File preparation including owner notification, project control, sheets and deed research:	\$ 315.00
Report and Exhibit Copies:	
Copy fees - \$0.35/sheet/Color - \$0.95/sheet	
Binders, photos, exhibits and maps @ \$120% of cost.	

**BE IT FURTHER RESOLVED**, all costs, fees, and compensation are contingent upon the execution of a contract, the availability of funds, and the adoption of the CY16 budget, and/or the appropriate capital ordinances. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

**BE IT FURTHER RESOLVED** that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

### **PART IV**

**WHEREAS**, the Township of Toms River has a need to acquire certain real estate appraisal services for property tax appeals from January 4, 2016 up to and including December 31, 2016; and

**WHEREAS**, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process pursuant to the provisions of *N.J.S.A. 19:44A-20.4 et. seq.*; and

**WHEREAS**, the following firms submitted conforming proposals which were publicly opened and read on December 3, 2015:

1. Henry J. Mancini and Associates, 1064 So. Main Street, Suite 1A, Stafford, New Jersey 08092
2. Federal Appraisal and Consulting, 460 US Hwy 22 West, Suite 403, Whitehouse Station, New Jersey 08889

**WHEREAS**, Henry J. Mancini and Associates has provided appraisal services for public entities throughout Ocean County, including the Township of Toms River in a competent and professional manner:

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Council of the Township of Toms River authorizes the Mayor to enter into and the Township Clerk to attest to a contract with Henry J. Mancini and Associates for appraisal services involving property tax appeals from January 4, 2016 up to and including December 31, 2016, at the rates set forth:

MAI Designated Appraiser:	\$160.00/hour
State Certified General Appraiser Staff:	\$115.00/hour
Field Personnel/Research Assistants:	\$100.00/hour
Clerical:	\$ 55.00/hour
File preparation including owner notification, project control, sheets and deed research:	\$ 315.00
Report and Exhibit Copies:	
Copy fees - \$0.35/sheet/Color - \$0.95/sheet	
Binders, photos, exhibits and maps @ \$120% of cost.	

**BE IT FURTHER RESOLVED** all costs, fees, and compensation are contingent upon the execution of a contract, the availability of funds, and the adoption of the CY16 budget and/or the appropriate capital ordinances. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

**BE IT FURTHER RESOLVED** that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

#### **PART V**

**WHEREAS**, the Township of Toms River has a need to acquire certain real estate title abstract services from January 4, 2016 up to and including December 31, 2016; and

**WHEREAS**, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process pursuant to the provisions of *N.J.S.A. 19:44A-20.4 et. seq.*; and

**WHEREAS**, the following firm submitted a conforming proposal which was publicly opened and read on December 3, 2015:

1. Mid-State Abstract Co., 207 Hooper Avenue, P.O. Box 413, Toms River, N.J. 08754

**WHEREAS**, a review of the submitted proposal to the Council reveals that the firm of Mid-State Abstract Co. has represented Toms River Township for the services described herein and has served the interests of the Township in a competent and professional manner:

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Toms River, in the County of Ocean, State of New Jersey, that the Mayor is hereby authorized to execute and the Municipal Clerk is authorized to attest to an agreement with Mid-State Abstract Co. a contract for real estate title abstract services from January 4, 2016 up to and including December 31, 2016, at the rates set forth regulated by the New Jersey Department of Insurance for title insurance, and \$165.00 per parcel for typical searches, contingent upon the execution of a contract, the availability of funds and the adoption of the CY16 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

**BE IT FURTHER RESOLVED** that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

**PART VI**

**WHEREAS**, the Township of Toms River has a need to acquire a Township Physician from January 4, 2016 up to and including December 31, 2016; and

**WHEREAS**, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process, pursuant to the provisions of N.J.S.A. 19:44A-20 *et. seq.*; and

**WHEREAS**, the following firm submitted a conforming proposal which was publicly opened and read on December 3, 2015:

1. Urgent Care Group, PA t/a Urgent Care Now Physicians, 970 Hooper Avenue, Toms River, New Jersey 08753; and

**WHEREAS**, a review of the submitted proposal to the Council reveals that the firm of Urgent Care Group, PA d/b/a Urgent Care Now Physicians has provided these services to Stafford and Barnegat Townships; and

**WHEREAS**, the firm has eight physicians on staff and provides a wide selection of medical services and testing:

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Council of the Township of Toms River authorizes the Mayor to enter into and the Township Clerk to attest to a contract with Urgent Care Group, PA d/b/a Urgent Care Now as Township Physician, from January 4, 2016 up to and including December 31, 2016, for a total maximum amount not to exceed \$5,000.00 for CY16, contingent on the execution of a contract, the availability of funds and the adoption of the CY16 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

**BE IT FURTHER RESOLVED** that the award of this professional service contract is being made in conformance with *N.J.S.A. 19:44A-20.4 et. seq.* and pursuant to the Township of Toms River Administrative Code, Chapter 84-1 *et. seq.*;

**BE IT FURTHER RESOLVED** that notice of this contract award shall be published within 10 days of the date of this Resolution, in the Asbury Park Press

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be provided by the Office of the Township Clerk to each of the following:

- a) Mayor Thomas Kelaher
- b) Chief Financial Officer
- c) Business Administrator
- d) Township Attorney
- e) All Department Heads
- f) Engineering Division
- g) Purchasing Division
- h) Tax Assessor
- i) Township Clerk's Office
- j) Township Municipal Court
- k) Henry J. Mancini & Associates, Inc.  
691 Mill Creek Road, Unit 11,  
Manahawkin, New Jersey 08050
- l) Michael LaMana  
Heartwood Ecological Services, LLC  
700 Hooper Avenue  
Toms River, N.J. 08755
- m) Mid State Abstract Co.  
207 Hooper Avenue  
P.O. Box 413  
Toms River, N.J. 08754
- n) Terry Brady, Esq.  
Brady, & Kunz, P.C.,  
680 Hooper Avenue, Building C  
P.O. Box 4990  
Toms River, New Jersey 08754
- o) Urgent Care Group, PA

t/a Urgent Care Now Physicians  
970 Hooper Avenue  
Toms River, New Jersey 08753

## **CERTIFICATION OF CHIEF FINANCIAL OFFICER PURSUANT TO LOCAL PUBLIC CONTRACT LAW**

**THIS IS TO CERTIFY** the contracts on the attached Resolution are open-ended contracts and, accordingly, pursuant to *NJAC 5:30-5.5* the availability of funds cannot be certified at this time. However, funds will be certified at such times as goods or services are ordered or otherwise called for. Prior to incurring the liability, by placing the order, the certification of available funds shall be made by the Chief Financial Officer of certifying officer, as appropriate, and attached to the file copy of the purchase order or other such document. Furthermore, pursuant to *NJAC 5:30-5.5(c)(2)*, these contracts are subject to the availability of funds, the adoption of the CY16 budget and the adoption of the appropriate Capital Ordinances, if applicable.

---

CHRISTINE MANOLIO  
CHIEF FINANCIAL OFFICER

Dated: January 4, 2016

### **RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, EXTENDING THE TERM OF CERTAIN CONTRACTS EXEMPT FROM PUBLIC BIDDING**

**JANUARY 4, 2016**

**WHEREAS**, on March 24, 2015, the Township Council awarded contracts for services exempted from the public bidding process for a term commencing on April 2, 2015 up to and including December 31, 2015; and

**WHEREAS**, there exists a need for the continued extension of certain contracts exempt from public bidding; and

**WHEREAS**, awards for professionals are subject to campaign contribution reform laws as set forth in *N.J.S.A. 19:44A-20.4, et. seq.* and the Toms River Township Administrative Code § 84-1, "Prohibition on awarding public contracts to certain contributors"; and

**WHEREAS**, professionals receiving contract awards on March 24, 2015 were obtained pursuant to a fair and open process, and other methods permitted by law pursuant to *N.J.S.A. 19:44A-20.4 et. seq.*, of New Jersey's Pay-to-Play Law and the Toms River Township Administrative Code § 84-1:

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE  
TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY:**

1. It hereby approves the extensions of contracts up to and including January 26, 2016 with the following firms: Acacia Financial Group, Inc., Alaimo Group Consulting Engineers; Bellu Memoli, LLC (formerly Carmen Memoli, CPA); Bonnie R. Peterson, Esq.; Citta, Holzapfel & Zabarsky, PC for general legal litigation services and labor counsel; Coffey & Associates; Connor, Strong & Buckelew; Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors, P.C.; DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis, Lehrer & Flaum, P.C.; Engineered Design Group, Inc.; French & Parrello Associates, P.A.; Gluck, Walrath, L.L.P.; Hatch, Mott & MacDonald; Heagan, Pagano & Seems, P.C., Hierung, Gannon, & McKenna, Esqs.; Holman, Frenia, Allison, P.A.; Jersey Shore Veterinary Emergency Service; JDM Planning Associates, LLC; Kevin Riordan, LLC.; Maser Consulting, P.A.; Owen, Little & Associates; Piazza & Associates, Inc.; Preferred Behavioral Health Consulting Group, Inc.; Remington & Vernick Engineers; Robert G. Cimer, D.V.M.; The Musial Group; T&M Associates; Toms River Animal Hospital; Chiesa, Shahinian and Giantomasi, PC; TRC Environmental Consultants, Inc., Najarian Associates and

William E. Antonides and Company, at the same rates approved in 2015 by this Council, subject to the availability of funds, and approval of the CY16 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

2. It hereby approves the extensions of contracts of 90 days, up to and including March 31, 2016 with the following firms: Brick Cardiovascular Specialists, P.A.; Emergemed, L.L.C.; Citta, Holzapfel & Zabarsky, P.C., for Municipal Prosecutor, and Raymond F. Hanbury, Ph.D. at the same rates approved in 2015 by this Council, subject to the availability of funds, and approval of the CY16 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

3. A notice of this action shall be advertised once by the Clerk in the Asbury Park Press.

4. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a) Mayor Thomas Kelaher
- b) Chief Financial Officer
- c) Business Administrator
- d) Township Attorney
- e) All Department Heads
- f) Engineering Division
- g) Purchasing Division
- h) Tax Assessor
- i) Township Clerk's Office
- j) Township Municipal Court
- k) Acacia Financial Group, Inc.,  
601 Route 73 North, Ste. 206  
Marlton, NJ 08053
- l) Alaimo Group Consulting Engineers  
200 High Street  
Mount Holly, New Jersey 08060
- m) Bellu Memoli, LLC  
222 Oak Avenue, Suite 5  
Toms River, New Jersey 08753
- n) Bonnie R. Peterson, Esq.  
1201 SW Central Avenue  
P.O. Box J  
Seaside Park, New Jersey 08752
- o) Brick Cardiovascular Specialists, PA  
147 Route 37 West  
Toms River, New Jersey 08755
- p) Citta, Holzapfel & Zabarsky, PC.  
248 Washington Street  
Toms River, New Jersey 08754
- q) Coffey & Associates  
310 South Street  
Morristown, N.J. 07960
- r) Connor, Strong & Buckelew  
210 Main Street  
P.O. Box 2017  
Marlton, New Jersey 08053
- s) Dasti, Murphy, McGuckin, Ulaky, Koutsouris &  
Connors, P.C.,  
620 West Lacey Road  
Forked River, New Jersey 08731
- t) DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis, Lehrer &  
Flaum, P.C.  
15 Mountain Blvd.  
Warren, New Jersey 07059
- u) Edward J. Simone, CPA, RMA  
William E. Antonides And Company  
2807 Hurley Pond Road, Suite 200  
PO Box 1137  
Wall, N.J. 07719-1137
- v) Engineered Design Group, Inc.

- 75 South St.  
Freehold, New Jersey 07728
- w) Emergemed, LLC  
Att'n: Dr. Larry Des Rochers, M.D.  
640 Harbor Road  
Brick, New Jersey 08724
  - x) French & Parrello Associates, P.A.  
1800 Rte. 34, Suite 101  
Wall, N.J. 07719
  - y) Gluck, Walrath, LLP  
428 River View Plaza  
Trenton, New Jersey 08611
  - z) Hatch, Mott & MacDonald  
3 Paragon Way  
Freehold, New Jersey 07728
  - aa) Heagan, Pagano & Seems, P.A.  
325 W. Water Street  
Toms River, New Jersey 08753
  - bb) Hering Gannon, & McKenna  
29 Hadley Avenue, Suite 2,  
Toms River, New Jersey 08753
  - cc) Holman, Frenia, Allison, PC,  
600 Hooper Ave., Bld. B, Suite 5  
Toms River, New Jersey 08753
  - dd) Jersey Shore Veterinary Emergency Service  
1000 State Highway 70  
Lakewood, New Jersey 08701
  - ee) JDM Planning Associates, LLC  
614 Harbor Road  
Brick, New Jersey 08724
  - ff) Kevin Riordan, LLC.  
20 Hadley Avenue, Suite 2  
Toms River, New Jersey 08753
  - gg) Mid State Abstract Co.  
207 Hooper Avenue  
P.O. Box 413  
Toms River, N.J. 08754
  - hh) Owen, Little & Associates  
443 Atlantic City Blvd.  
Beachwood, N.J. 08722
  - ii) Piazza & Associates, Inc.  
216 Rockingham Row,  
Princeton, N.J. 08540
  - jj) Preferred Behavioral Health Group, Inc.  
1500 Route 88  
Brick, New Jersey 08724
  - kk) Raymond F. Hanbury, Ph.D.  
2640 Highway 70  
Bldg. 7A, Suite 202  
Manasquan, N.J. 08736-2609
  - ll) Remington & Vernick Engineers  
9 Allen Street  
Toms River, N.J. 08753
  - mm) Vector of Toms River, LLC, t/a  
Calling All Creatures Veterinary Hospital  
(Formerly Robert G. Cimer, D.V.M.)  
246 Washington Street  
Toms River, N.J. 08753
  - nn) T & M Associates  
9 Grand Avenue, Building #1, Toms River, New  
Jersey 08753
  - oo) TRC Environmental Corp.  
41 Spring Street  
New Providence, New Jersey 07974
  - pp) The Musial Group,  
191 Mill Lane,

- Mountainside, New Jersey 07902
- qq) Toms River Animal Hospital  
769 Route 37 West  
Toms River, N.J. 08755
- rr) Chiesa, Shahinian, Giantomsai, PC  
1 Boland Drive  
West Orange, New Jersey 07052
- ss) Najarian Associates  
1 Industrial Way West  
Eatontown, New Jersey 07724  
Att'n: Joseph L. DiLorenzo, Ph.D.
- tt) Maser Consulting, PA  
331 Newman Springs Road, Suite 203  
Red Bank, New Jersey 07701

**CERTIFICATION OF CHIEF FINANCIAL OFFICER PURSUANT TO  
LOCAL PUBLIC CONTRACT LAW**

**THIS IS TO CERTIFY** the contracts on the attached Resolution are open-ended contracts and, accordingly, pursuant to *NJAC 5:30-5.5* the availability of funds cannot be certified at this time. However, funds will be certified at such times as goods or services are ordered or otherwise called for. Prior to incurring the liability, by placing the order, the certification of available funds shall be made by the Chief Financial Officer of certifying officer, as appropriate, and attached to the file copy of the purchase order or other such document. Furthermore, pursuant to *NJAC 5:30-5.5(c)(2)*, these contracts are subject to the availability of funds, the adoption of the CY16 budget and the adoption of the appropriate Capital Ordinances, if applicable.

\_\_\_\_\_  
CHRISTINE MANOLIO  
CHIEF FINANCIAL OFFICER

Dated: January 4, 2016

**APPROVAL OF BILLS**

The Bill List, dated **January 4, 2016**, was approved on motion by Council Member Carr, seconded by Council Member Wittmann, and carried with Council Members Carr, Hill, Kubiel, Maruca, and Council Member Wittmann voting yes, and with Council Member Manforti absent. The following respective exceptions to their votes were noted as abstentions to this vote:

Council Member Kubiel abstained due to Business conflicts on the following:

Purchase Order 15-06103, payable to Barnabas Health Corporate Care in the amount of \$120.00.

Purchase Order 15-02253, payable to Robert Cimer, Veterinarian, in the amount of \$655.00.

Council Member Carr abstained due to Business conflicts on the following:

Purchase Order 15-06623, payable to Bellu Memoli, LLC in the amount of \$680.00.

Council Member Hill abstained due to Business conflicts on the following:

Purchase Order 16-00001 and 16-00002, payable to Board of Education-Toms River Schools in the amount of \$20,406,767.32.

Purchase Order 15-00936, payable to Terry Brady, Esquire, in the amount of \$3,916.63.

Purchase Order 15-06969 and 06954, payable to Saint Luke's Church in the amount of \$840.00.

Purchase Order 15-06969 & 15-06954, payable to Toms River Schools in the amount of \$3,615.00.

Purchase Order 15-06103, payable to Barnabas Health Corporate Care in the amount of \$120.00.

Council Member Maruca abstained on all as she said she did not have an opportunity to review them.

Council Member Wittmann abstained due to Business conflicts on the following:

Purchase Order 15-06541 and 15-06542, payable to ARYA Properties, LLC in the amount of \$2,000.00

#### ELECTED OFFICIALS COMMENTS

Council Member Wittmann had no comments.

Council Member Carr congratulated the newly elected officials, and wished Council Member Kubieli best of luck as Council President. He thanked the Council Members for their hard work, and wished everyone a Happy New Year.

Council Member Hill congratulated the elected officials, and wished everyone a Happy New Year.

Councilwoman Maruca congratulated the newly elected officials; and spoke regarding beach replenishment in 2016.

Council Member Kubieli thanked the Township Council to be Council President in 2016.

#### PUBLIC COMMENTS

Council Member Kubieli announced the public portion and asked if any one wished to speak at this time. There was no response.

With no other business appearing, Council Members Carr, Hill, Maruca, and Council Wittmann voting yes, and with Council Member Manforti absent, **public hearing was closed.**

Benediction was delivered by Reverend Barbara Miles

The meeting was adjourned at 6:09 P.M., with Council Members Hill, Kubieli, Maruca, Sevastakis, Wittmann, and Council Member Wittmann voting yes, and with Council Member Manforti absent.

---

BRIAN KUBIEL, COUNCIL PRESIDENT

---

J. MARK MUTTER, TOWNSHIP CLERK